

ESTTA Tracking number: **ESTTA697771**

Filing date: **09/23/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	PEI Licensing, Inc.
Granted to Date of previous extension	09/23/2015
Address	3000 N.W. 107th Avenue Miami, FL 33172 UNITED STATES
Attorney information	Stephen D. Lott NORVELL IP LLC PO BOX 2461 CHICAGO, IL 60690 UNITED STATES officeactions@norvellip.com, tmonagan@norvellip.com, slott@norvellip.com Phone:888-315-0732

Applicant Information

Application No	79153406	Publication date	05/26/2015
Opposition Filing Date	09/23/2015	Opposition Period Ends	09/23/2015
International Registration No.	1219336	International Registration Date	03/21/2014
Applicant	ATEL TEKSTIL SANAYI VE TICARET ANONIM SIRKETI Yakuplu Mermerciler Sanayi Sitesi ISTANBUL, TURKEY		

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0


All goods and services in the class are opposed, namely: Clothing, namely, T-shirts, sweatshirts, tracksuits, blouses, underclothing, namely, lingerie, nightgowns, dressing gowns, pajamas, socks, tights, gloves, headgear, namely, hats, caps, headbands, wristbands, scarves, foulards, shawls

Grounds for Opposition

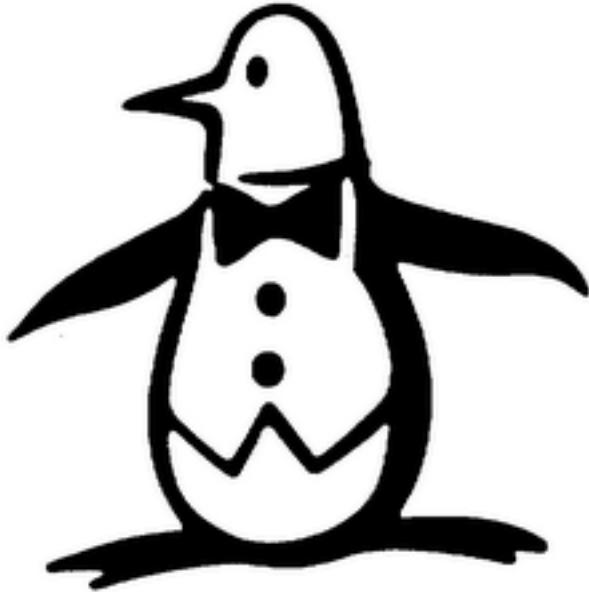
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	673912	Application Date	10/28/1957
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Registration Date	02/10/1959	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U039 (International Class 010, 025, 026). First use: First Use: 1956/02/21 First Use In Commerce: 1956/02/21 GOLF SHIRTS AND OTHER SPORTSWEAR-NAMELY, SPORT SHIRTS, [BOWLING SHIRTS], SWEATERS [, AND BEACH JACKETS]		

U.S. Registration No.	1116035	Application Date	03/31/1978
Registration Date	04/03/1979	Foreign Priority Date	NONE
Word Mark	NONE		

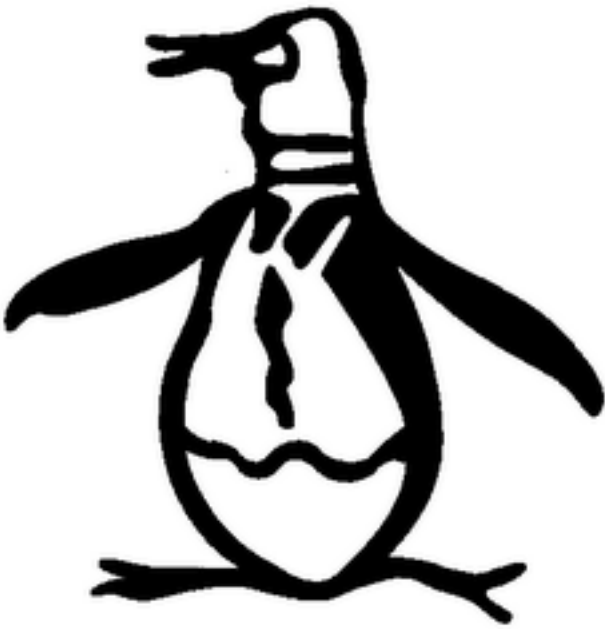
Design Mark	
Description of Mark	NONE
Goods/Services	Class 018. First use: First Use: 1977/07/15 First Use In Commerce: 1977/07/15 BARREL BAGS AND GOLF UMBRELLAS Class 025. First use: First Use: 1977/07/13 First Use In Commerce: 1977/11/22 [GOLF CAPS] Class 028. First use: First Use: 1969/00/00 First Use In Commerce: 1969/00/00 GOLF BAG COVERS, GOLF BALLS, GOLF TEES,[RACKET COVERS AND TENNIS BAGS]

U.S. Registration No.	2075922	Application Date	01/10/1992
Registration Date	07/01/1997	Foreign Priority Date	NONE
Word Mark	PENGUIN SPORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1992/01/00 First Use In Commerce: 1992/01/00 clothing; namely, men's, women's and children's tops, shirts, skirts, pullover windshirts, pants, shorts, sweat shirts,jackets, hosiery, hats, scarves, gloves, footwear; activewear; namely, jackets,pullover windshirts, sweaters, shirts, skirts, shorts, pants, swimwear, warm-upsuits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, footwear, hosiery, hats, scarves and gloves; and sportswear; namely, shorts, jackets, pullover windshirts, shirts, skirts,pants, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, hosiery, hats, scarves, gloves and footwear		


U.S. Registration No.	2749389	Application Date	08/17/2001
Registration Date	08/12/2003	Foreign Priority Date	NONE
Word Mark	PENGUIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1967/06/00 First Use In Commerce: 1967/06/00 Slacks, walking shorts, sport shirts, and jackets		

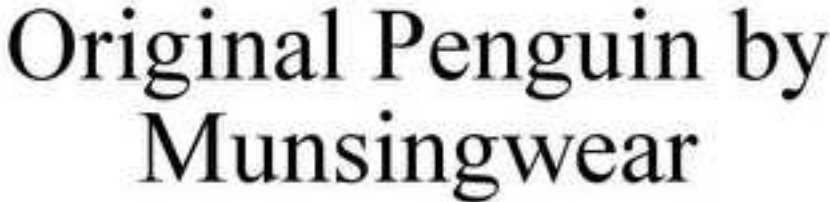
U.S. Registration No.	2870641	Application Date	07/18/2002
Registration Date	08/03/2004	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of a dressed Penguin with an orange beak and orange feet.		
Goods/Services	Class 025. First use: First Use: 2003/02/00 First Use In Commerce: 2003/02/00 Clothing, namely, knit and woven shirts, t-shirts, sweatshirts, outerwear in the nature of wind resistant jackets, jackets, coats, vests, pants, shorts, sweaters, headwear, namely, hats, caps, visorsand headbands, footwear, namely,		

	shoes,sneakers and sandals, ties, wristbands,belts for clothing, swimsuits, hosiery,underwear and socks
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U.S. Registration No.	2880454	Application Date	07/18/2002
Registration Date	08/31/2004	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2003/02/00 First Use In Commerce: 2003/02/00 CLOTHING, NAMELY, KNIT AND WOVEN SHIRTS, T-SHIRTS, SWEAT-SHIRTS, OUTERWEAR IN THE NATURE OF WIND-RESISTANT JACKETS, JACKETS, COATS, VESTS, PANTS, SHORTS, SWEATERS, HEADWEAR, NAMELY, HATS, CAPS, VISORSAND HEADBANDS, FOOTWEAR, NAMELY SHOES, SNEAKERS AND SANDALS, TIES, WRISTBANDS, BELTS FOR CLOTHING, SWIMSUITS, HOSIERY, UNDERWEAR AND SOCKS		

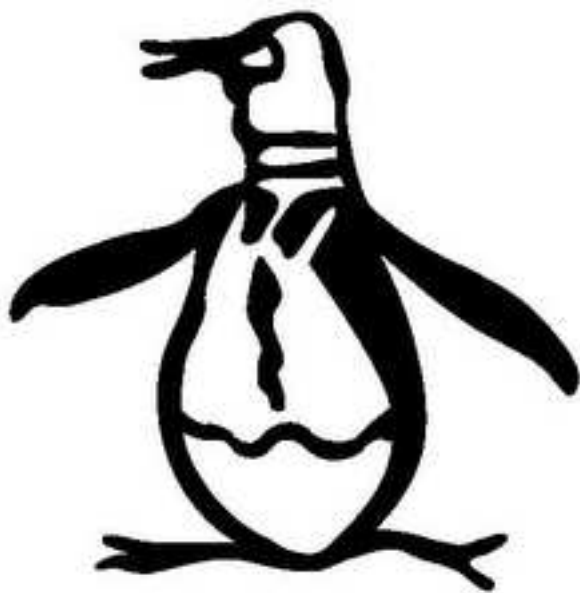
U.S. Registration No.	3323720	Application Date	03/26/2007
Registration Date	10/30/2007	Foreign Priority Date	NONE
Word Mark	AN ORIGINAL PENGUIN BY MUNSINGWEAR		

Design Mark	
Description of Mark	The mark consists of a picture of a penguin and the words An Original Penguin by Munsingwear.
Goods/Services	Class 025. First use: First Use: 2003/02/00 First Use In Commerce: 2003/02/00 Clothing, namely, knit and woven shirts, t-shirts, sweatshirts, outerwear in the nature of wind resistant jackets, jackets, coats, vests, pants, shorts, sweaters, headwear, namely, hats, caps, visors and headbands, footwear, namely, shoes, sneakers and sandals, ties, wristbands, belts for clothing, swimsuits, hosiery, underwear and socks

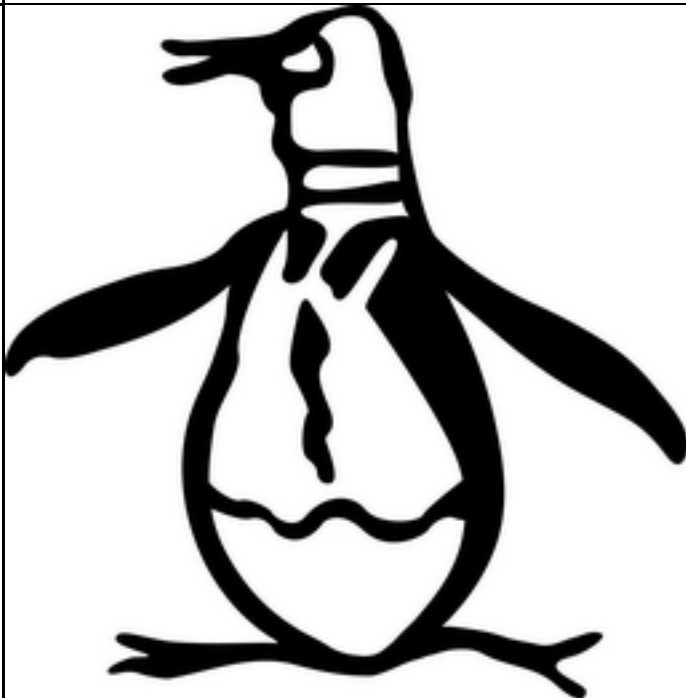
U.S. Registration No.	3681969	Application Date	01/17/2008
Registration Date	09/15/2009	Foreign Priority Date	NONE
Word Mark	ORIGINAL PENGUIN BY MUNSINGWEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 2007/11/15 First Use In Commerce: 2007/11/15 LUGGAGE, LUGGAGE STRAPS, TRAVEL BAGS, GARMENT BAGS AND SHOE BAGS FOR TRAVEL, BRIEFCASES, BRIEFCASE-TYPE PORTFOLIOS, ATTACHE CASES, MESSENGER BAGS, HANDBAGS, POCKETBOOKS, LEATHER AND FABRIC EVENING BAGS, CLUTCHES, TOTE BAGS, ATHLETIC BAGS, DUFFEL BAGS, BEACH BAGS, DIAPER BAGS, COSMETIC BAGS SOLD EMPTY, TOILETRY CASES SOLD EMPTY, SCHOOL BAGS, KNAPSACKS, WAISTPACKS, UMBRELLAS, WALLETS, BILLFOLDS, BUSINESS CARD CASES, CREDIT CARD CASES, KEY CASES, CHANGE PURSES		

U.S. Registration No.	3717328	Application Date	01/17/2008
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Registration Date	12/01/2009	Foreign Priority Date	NONE
Word Mark	AN ORIGINAL PENGUIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 2005/09/00 First Use In Commerce: 2005/09/00 WATCHES, CLOCKS, PARTS OF WATCHES AND CLOCKS, AND THEIR CASES		


U.S. Registration No.	3717329	Application Date	01/17/2008
Registration Date	12/01/2009	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of a design of a penguin.		
Goods/Services	Class 014. First use: First Use: 2005/03/00 First Use In Commerce: 2005/03/00 WATCHES, CLOCKS, PARTS OF WATCHES AND CLOCKS, AND THEIR CASES Class 018. First use: First Use: 2007/11/15 First Use In Commerce: 2007/11/15 LUGGAGE, LUGGAGE STRAPS, TRAVEL BAGS, GARMENT BAGS AND		

	SHOE BAGS FOR TRAVEL, BRIEFCASE, BRIEFCASE-TYPE PORTFOLIOS, ATTACHE CASES, MESSENGER BAGS, HANDBAGS, POCKETBOOKS, LEATHER AND FABRIC EVENING BAGS, CLUTCHES, TOTE BAGS, ATHLETIC BAGS, DUFFEL BAGS, BEACH BAGS, DIAPER BAGS, COSMETIC BAGS SOLD EMPTY, TOILETRY CASES SOLD EMPTY, SCHOOL BAGS, KNAPSACKS, WAIST PACKS, UMBRELLAS, WALLETS, BILLFOLDS, BUSINESS CARD CASES, CREDIT CARD CASES, KEY CASES, CHANGE PURSES
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U.S. Registration No.	3811401	Application Date	03/25/2008
Registration Date	06/29/2010	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of a penguin.		
Goods/Services	Class 025. First use: First Use: 2009/07/31 First Use In Commerce: 2009/07/31 Snowboard boots Class 028. First use: First Use: 2009/07/31 First Use In Commerce: 2009/07/31 Snowboards and snowboard bindings		

U.S. Registration No.	3894274	Application Date	03/25/2008
Registration Date	12/21/2010	Foreign Priority Date	NONE
Word Mark	AN ORIGINAL PENGUIN BY MUNSINGWEAR		

Design Mark	An Original Penguin by Munsingwear
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2009/07/31 First Use In Commerce: 2009/07/31 snowboard boots Class 028. First use: First Use: 2009/07/31 First Use In Commerce: 2009/07/31 snowboards and snowboard bindings

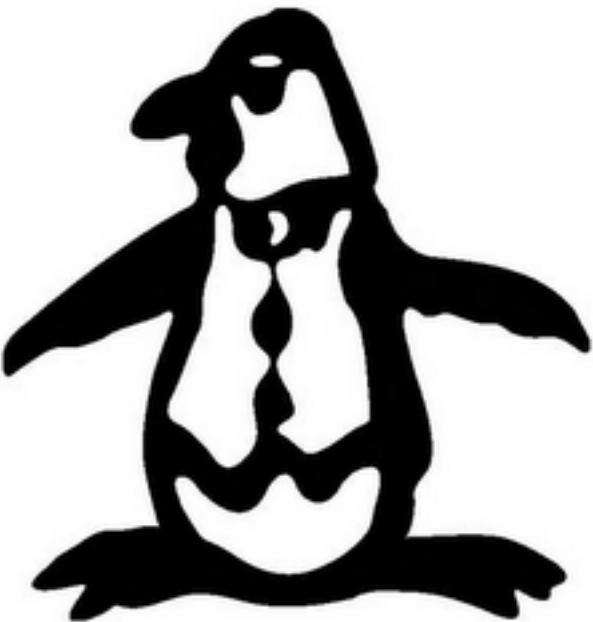
U.S. Registration No.	3961901	Application Date	10/27/2010
Registration Date	05/17/2011	Foreign Priority Date	NONE
Word Mark	AN ORIGINAL PENGUIN BY MUNSINGWEAR		
Design Mark			
Description of Mark	The mark consists of the wording "AN ORIGINAL PENGUIN BY MUNSINGWEAR" in stylized form with the letter "M" contained in a square which has four curved sides.		
Goods/Services	Class 009. First use: First Use: 2005/05/01 First Use In Commerce: 2005/05/01 Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods		

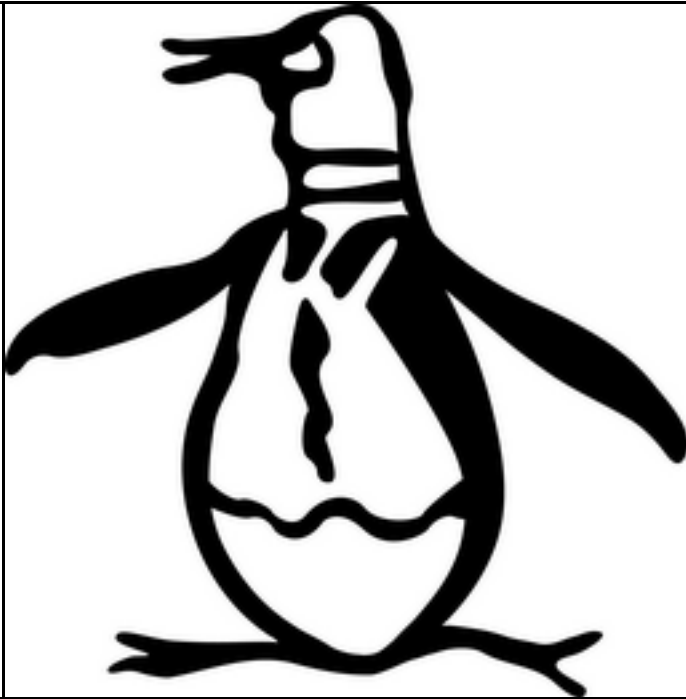
U.S. Registration No.	3961902	Application Date	10/27/2010
Registration Date	05/17/2011	Foreign Priority Date	NONE
Word Mark	AN ORIGINAL PENGUIN BY MUNSINGWEAR		

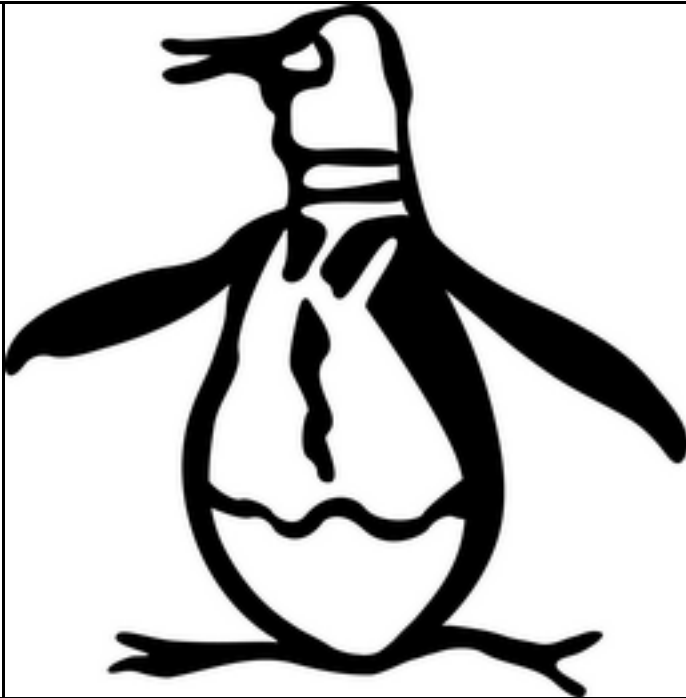
Design Mark	An Original Penguin by Munsingwear
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2005/05/01 First Use In Commerce: 2005/05/01 Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods


U.S. Registration No.	4032486	Application Date	06/23/2010
Registration Date	09/27/2011	Foreign Priority Date	NONE
Word Mark	ORIGINAL PENGUIN BY MUNSINGWEAR		
Design Mark	Original Penguin by Munsingwear		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2011/04/01 First Use In Commerce: 2011/04/01 fragrances, namely, perfumes, eau de parfum, cologne, eau de toilet, body lotion, bath gel, hand soap, perfumed soap and cosmetics		

U.S. Registration No.	4058748	Application Date	11/02/2010
Registration Date	11/22/2011	Foreign Priority Date	NONE
Word Mark	NONE		


Design Mark			
Description of Mark	The mark consists of a dressed Penguin.		
Goods/Services	Class 009. First use: First Use: 2005/05/01 First Use In Commerce: 2005/05/01 Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods		
U.S. Registration No.	4058749	Application Date	11/02/2010
Registration Date	11/22/2011	Foreign Priority Date	NONE
Word Mark	NONE		


Design Mark			
Description of Mark	The mark consists of a dressed Penguin.		
Goods/Services	Class 009. First use: First Use: 2005/05/01 First Use In Commerce: 2005/05/01 Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods		
U.S. Registration No.	4132700	Application Date	11/11/2010
Registration Date	04/24/2012	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	The mark consists of a dressed penguin.
Goods/Services	Class 003. First use: First Use: 2011/04/01 First Use In Commerce: 2011/04/01 FRAGRANCES, NAMELY, PERFUMES, EAU DE PARFUM, COLOGNE, EAU DE TOILET, BODY LOTION, BATH LOTION, BATH GEL, HAND SOAP, PERFUMED SOAP AND COSMETICS

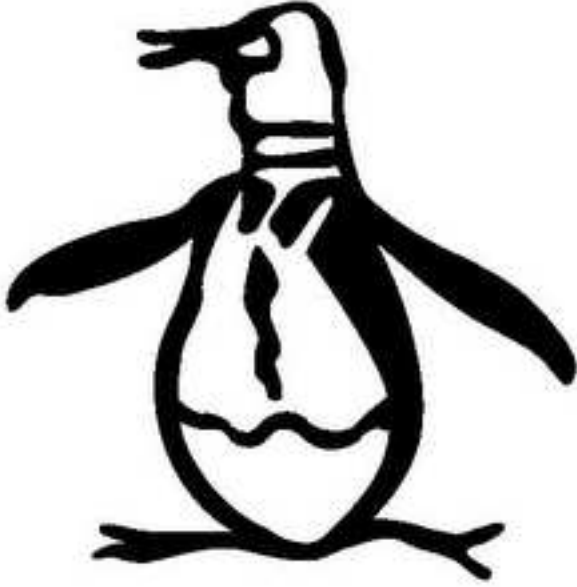
U.S. Registration No.	4263091	Application Date	10/27/2010
Registration Date	12/25/2012	Foreign Priority Date	NONE
Word Mark	PENGUIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2005/05/01 First Use In Commerce: 2005/05/01 Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods		


U.S. Registration No.	4308261	Application Date	07/03/2012
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Registration Date	03/26/2013	Foreign Priority Date	NONE
Word Mark	AN ORIGINAL PENGUIN BY MUNSINGWEAR		
Design Mark			
Description of Mark	The mark consists of a dressed penguin on the left side with a vertical line separating the design and the words "AN ORIGINAL PENGUIN BY MUNSINGWEAR" in stylized format.		
Goods/Services	Class 035. First use: First Use: 2010/11/11 First Use In Commerce: 2010/11/11 Retail store services featuring apparel, hats, leather goods, fashion accessories, jewelry, footwear, cosmetics, personal care products, eyewear, luggage and sports equipment		

U.S. Registration No.	4481609	Application Date	11/18/2011
Registration Date	02/11/2014	Foreign Priority Date	NONE
Word Mark	AN ORIGINAL PENGUIN BY MUNSINGWEAR		
Design Mark			
Description of Mark	The mark consists of the words "an original Penguin By Munsingwear" in stylized format with the "M" in "Munsingwear" in a dark background.		
Goods/Services	Class 014. First use: First Use: 2013/09/00 First Use In Commerce: 2013/09/00 WATCHES, JEWELRY, NAMELY, RINGS, BRACELETS, NECKLACES, CUFF-LINKS, AND TIE BARS		

U.S. Registration No.	4598008	Application Date	01/17/2013
Registration Date	09/02/2014	Foreign Priority	NONE

		Date	
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of a dressed penguin.		
Goods/Services	Class 025. First use: First Use: 2013/04/30 First Use In Commerce: 2013/04/30 dress shirts and tuxedo shirts; men's, women's and children's underwear, sleepwear, loungewear, pajamas and robes		

U.S. Registration No.	4598009	Application Date	01/17/2013
Registration Date	09/02/2014	Foreign Priority Date	NONE
Word Mark	ORIGINAL PENGUIN BY MUNSINGWEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2013/04/30 First Use In Commerce: 2013/04/30 dress shirts and tuxedo shirts; men's, women's and children's underwear, sleepwear, loungewear, pajamas and robes		

U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
Word Mark	The mark consists of a dressed penguin
Goods/Services	Variety of clothing, apparel, accessories and related goods and services.

Attachments	72039655#TMSN.png(bytes) 73164596#TMSN.png(bytes) 74236566#TMSN.png(bytes) 76301300#TMSN.png(bytes) 78975441#TMSN.png(bytes) 78975440#TMSN.png(bytes) 77139980#TMSN.png(bytes) 77373863#TMSN.png(bytes) 77374580#TMSN.png(bytes) 77374640#TMSN.png(bytes) 77430538#TMSN.png(bytes) 77430496#TMSN.png(bytes) 85162396#TMSN.png(bytes) 85162707#TMSN.png(bytes) 85069700#TMSN.png(bytes) 85166869#TMSN.png(bytes) 85166877#TMSN.png(bytes) 85174948#TMSN.png(bytes) 85162406#TMSN.png(bytes) 85668368#TMSN.png(bytes) 85476255#TMSN.png(bytes) 85826054#TMSN.png(bytes) 85826140#TMSN.png(bytes) 150923 Notice of Opposition for WIGGLESTEPS and Design (12232-1498) as filed.pdf(241097 bytes) 150923 Exhibit A (compressed).pdf(3389731 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Stephen D. Lott/
Name	Stephen D. Lott
Date	09/23/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

In re Application No. 79/153,406

Filed: March 21, 2014



Mark:

Published in the *Official Gazette* (Trademarks) on: May 26, 2015

PEI LICENSING, INC.

Opposer,

v.

ATEL TEKSTIL SANAYI VE
TICARET ANONIM SİRKETİ

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

PEI LICENSING, INC., a Delaware corporation with its principal place of business at 3000 NW 107th Avenue, Miami, Florida 33172, together with its affiliates, parents and subsidiaries (collectively, "PEI") believes that it will be damaged by the registration of the WIGGLESTEPS and Design mark shown in Application Serial No. 79/153,406



("Opposed Mark"), applied for by Atel Tekstil Sanayi ve Ticaret Anonim Şirketi, a Turkish joint stock company with a principal place of business at Yakuplu Mermerciler Sanayi Sitesi, 5. Cadde. No. 9 Beylikdüzü, Istanbul, Turkey ("Applicant"), and PEI opposes registration on the basis of a likelihood of confusion pursuant to Section 2(d) of the

Lanham Act, 15 U.S.C. §1052(d), and dilution under Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c). In support of its Opposition, PEI asserts as follows:

PEI'S PENGUIN MARKS




PEI is an international company and leading marketer of a broad line of apparel and related goods. PEI manufactures, markets, and distributes its goods under a number of well-known, globally recognized brands, including, for example, PERRY ELLIS®, JANTZEN®, LAUNDRY BY SHELLI SEGAL®, MANHATTAN®, ORIGINAL PENGUIN®, and the Original Penguin design (as shown below):






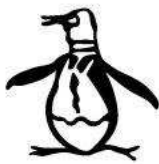

1. PEI's goods are distributed through regional, national, and international department stores, national and regional chain stores, mass merchants, and green grass and other specialty stores. PEI also engages in direct-to-consumer business through company-owned retail stores and e-commerce websites.



2. PEI, through its predecessors and/or related companies, adopted and first used a penguin design on or in connection with apparel and related goods at least as early as 1956 and the PENGUIN word mark at least as early as 1967. Since those dates, PEI, through its predecessors and/or related companies, has continuously used the penguin design and the PENGUIN word mark, in addition to a number of other PENGUIN-formative marks and penguin designs on goods and services spanning International Classes 3, 9, 14, 18, 25, 28 and 35.




3. PEI owns the following U.S. registrations, all of which are legally and validly registered on the Principal Register of the United States Patent and Trademark Office (“USPTO”) (collectively, the “PEI Registrations”):


Mark	Reg. / Ser. No.	Goods	Status
	673,912	Golf shirts and other sportswear, namely, sport shirts, sweaters	Incontestable
	1,116,035	Barrel bags and golf umbrellas; golf bag covers, golf balls, golf tees	Incontestable
	2,075,922	Clothing; namely, men's, women's and children's tops, shirts, skirts, pullover windshirts, pants, shorts, sweat shirts, jackets, hosiery, hats, scarves, gloves, footwear; activewear; namely, jackets, pullover windshirts, sweaters, shirts, skirts, shorts, pants, swimwear, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, footwear, hosiery, hats, scarves and gloves; and sportswear; namely, shorts, jackets, pullover windshirts, shirts, skirts, pants, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, hosiery, hats, scarves, gloves and footwear	Incontestable
PENGUIN	2,749,389	Slacks, walking shorts, sports shirts, and jackets	Incontestable

	2,870,641	Clothing, namely, knit and woven shirts, t-shirts, sweatshirts, outerwear in the nature of wind resistant jackets, jackets, coats, vests, pants, shorts, sweaters, headwear, namely, hats, caps, visors and headbands, footwear, namely, shoes, sneakers and sandals, ties, wristbands, belts for clothing, swimsuits, hosiery, underwear and socks	Incontestable
	2,880,454	Clothing, namely, knit and woven shirts, t-shirts, sweatshirts, outerwear in the nature of wind-resistant jackets, jackets, coats, vests, pants, shorts, sweaters, headwear, namely, hats, caps, visors and headbands, footwear, namely shoes, sneakers and sandals, ties, wristbands, belts for clothing, swimsuits, hosiery, underwear and socks	Incontestable
	3,323,720	Clothing, namely, knit and woven shirts, t-shirts, sweatshirts, outerwear in the nature of wind resistant jackets, jackets, coats, vests, pants, shorts, sweaters, headwear, namely, hats, caps, visors and headbands, footwear, namely, shoes, sneakers and sandals, ties, wristbands, belts for clothing, swimsuits, hosiery, underwear and socks	Incontestable

ORIGINAL PENGUIN BY MUNSINGWEAR	3,681,969	Luggage, luggage straps, travel bags, garment bags and shoe bags for travel, briefcases, briefcase-type portfolios, attache cases, messenger bags, handbags, pocketbooks, leather and fabric evening bags, clutches, tote bags, athletic bags, duffel bags, beach bags, diaper bags, cosmetic bags sold empty, toiletry cases sold empty, school bags, knapsacks, waist packs, umbrellas, wallets, billfolds, business card cases, credit card cases, key cases, change purses	Registered
AN ORIGINAL PENGUIN	3,717,328	Watches, clocks, parts of watches and clocks, and their cases	Registered
	3,717,329	Watches, clocks, parts of watches and clocks, and their cases; Luggage, luggage straps, travel bags, garmentbags and shoe bags for travel, briefcase, briefcase-type portfolios, attache cases, messenger bags, handbags, pocketbooks, leather and fabric evening bags, clutches, tote bags, athletic bags, duffel bags, beach bags, diaper bags, cosmetic bags sold empty, toiletry cases sold empty, school bags, knapsacks, waist packs, umbrellas, wallets, billfolds, business card cases, credit card cases, key cases, change purses	Registered
	3,811,401	Snowboard boots; snowboards and snowboard bindings	Registered

AN ORIGINAL PENGUIN BY MUNSINGWEAR	3,894,274	Snowboard boots; Snowboards and snowboard bindings	Registered
	3,961,901	Eyewear and eyewear accessories, namely frames for prescription and nonprescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods	Registered
AN ORIGINAL PENGUIN BY MUNSINGWEAR	3,961,902	Eyewear and eyewear accessories, namely frames for prescription and nonprescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods	Registered
ORIGINAL PENGUIN BY MUNSINGWEAR	4,032,486	Fragrances, namely, perfumes, eau de parfum, cologne, eau de toilet, body lotion, bath gel, hand soap, perfumed soap and cosmetics	Registered
	4,058,748	Eyewear and eyewear accessories, namely frames for prescription and nonprescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods	Registered

	4,058,749	Eyewear and eyewear accessories, namely frames for prescription and nonprescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods	Registered
	4,132,700	Fragrances, namely, perfumes, eau de parfum, cologne, eau de toilet, body lotion, bath lotion, bath gel, hand soap, perfumed soap and cosmetics	Registered
PENGUIN	4,263,091	Eyewear and eyewear accessories, namely frames for prescription and nonprescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods	Registered
 <i>an original</i> Penguin BY Munsingwear	4,308,261	Retail store services featuring apparel, hats, leather goods, fashion accessories, jewelry, footwear, cosmetics, personal care products, eyewear, luggage and sports equipment	Registered
<i>an original</i> Penguin BY Munsingwear	4,481,609	Watches, jewelry, namely, rings, bracelets, necklaces, cufflinks, and tie bars	Registered

	4,598,008	Dress shirts and tuxedo shirts; men's, women's and children's underwear, sleepwear, loungewear, pajamas and robes	Registered
ORIGINAL PENGUIN BY MUNSINGWEAR	4,598,009	Dress shirts and tuxedo shirts; men's, women's and children's underwear, sleepwear, loungewear, pajamas and robes	Registered

Copies of the Certificates of Registration and current USPTO Trademark Status and Document Retrieval ("TSDR") printouts are attached as Exhibit A.

4. PEI also owns extensive common law rights in its penguin designs and PENGUIN word marks in connection with a wide variety of apparel, accessories and related goods and services. PEI promotes and sells these goods and services under its penguin designs and PENGUIN word marks in retail stores and on its website www.originalpenguin.com, where the marks are prominently displayed.

5. As a result of PEI's long-standing, nationwide, and widespread use, PEI owns extensive common law rights in the penguin designs and PENGUIN word marks in connection with a wide variety of apparel, accessories and related goods and services. The marks reflected in the PEI Registrations, together with the extensive common law rights in the penguin designs and PENGUIN word marks, are hereafter referred to as the "PENGUIN Marks."

6. Long prior to the filing date of the application for the Opposed Mark, PEI extensively advertised, promoted, and sold products bearing the PENGUIN Marks as companion products originating from the same source. The PENGUIN Marks have been so extensively used and advertised together that goods bearing the PENGUIN Marks are

recognized by trade and consumers as companions and as originating from a single source. As a result, the PENGUIN Marks constitute a family of PENGUIN Marks that identify PEI as the source of the goods provided.

7. PEI has expended substantial sums of money in marketing, advertising, and promoting its PENGUIN Marks and, through such sales and advertising, has generated substantial goodwill and customer recognition in its PENGUIN Marks. The public has come to associate the PENGUIN Marks exclusively with PEI.

8. PEI has derived substantial revenues from the sale of its products under the PENGUIN Marks.

9. PEI's extensive use and advertising of the PENGUIN Marks has resulted in consumer recognition that the PENGUIN Marks identify PEI as the source of fashionable, high-quality products. The PENGUIN Marks are distinctive of PEI's products and are well known and famous, and valuable goodwill has been generated in the PENGUIN Marks. Such goodwill was generated long before the filing date and use of the Opposed Mark.

10. The PENGUIN Marks have become, prior to Applicant's filing and use of the Opposed Mark, distinctive and famous under Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c).

APPLICANT'S APPLICATION TO REGISTER THE OPPOSED MARK

11. On March 21, 2014, based on Turkish Trademark Reg. No. 2013/29581, Applicant filed an international application for the Opposed Mark with the International Bureau (IB) of the World Intellectual Property Organization for the following goods in International Class 25: "clothing, namely, trousers, jackets, overcoats, coats, skirts, suits,

jerseys, waistcoats, shirts, ready-made leather linings (parts of clothing), T-shirts, sweatshirts, dresses, bermuda shorts, shorts, pajamas, pullovers, jeans, tracksuits, rainwear, beachwear, bathing suits, swimming suits; clothing for sports (for exclusive use for sports), clothing for babies, namely, shirts, pants, coats, dresses; underclothing, namely, boxer shorts, brassieres, briefs, pants, socks; footwear, namely shoes excluding orthopedic shoes, sandals, waterproof boots, walking boots, booties, sporting shoes, slippers; shoe parts namely heelpieces, insoles for footwear, footwear uppers; headgear, namely caps, skull caps, sports caps, hats, berets; gloves (clothing), stockings, belts (clothing), camisoles, sarongs, scarves, neck scarves, shawls, collars, neckties, ties, suspender belts.” Thereafter on October 16, 2014, the IB issued International Registration No. 1219336 for the Opposed Mark, with an effective registration date of March 21, 2014.

12. On March 21, 2014, Applicant designated the United States of America for extension of trademark protection for the Opposed Mark under Section 66(a) of the Trademark Act, 15 U.S.C. § 1141f(a), but limited the goods claimed to “clothing, namely, T-shirts, sweatshirts, tracksuits, blouses, underclothing, namely, lingerie, nightgowns, dressing gowns, pajamas, socks, tights, gloves, headgear, namely, hats, caps, headbands, wristbands, scarves, foulards, shawls.” The resulting U.S. application for the Opposed Mark was assigned Serial No. 79/153,406 by the USPTO.

13. Applicant’s filing and use of the Opposed Mark in connection with clothing and apparel is without the consent or permission of PEI.

14. On October 29, 2014, the USPTO issued an Office Action requiring Applicant to provide a description of the Opposed Mark.

15. On March 30, 2015, Applicant filed a response to the USPTO's Office Action, and stated therein that the Opposed Mark "consists of the following: the black wording 'WIGGLESTEPS' at left, and the design of a penguin in black and white with orange beak and feet; the color white behind the wording and complete design of the penguin represents background and/or transparent areas and is not part of the mark."

16. On March 30, 2015, the USPTO approved the Opposed Mark for publication.

17. On May 6, 2015, the USPTO issued a Notice of Publication, and the Opposed Mark was published in the *Official Gazette* of the USPTO on May 26, 2015.

18. Long before Applicant's filing and use of the Opposed Mark, PEI adopted, first used, and registered its PENGUIN Marks on or in connection with clothing, apparel, accessories, and related goods. Since then, PEI has continuously used and has not abandoned the PENGUIN Marks.

19. The goods for which Applicant seeks registration of the Opposed Mark are identical or closely related to the goods on which PEI uses its PENGUIN Marks and for which PEI owns registrations. Applicant seeks to register the Opposed Mark in International Class 25, the identical class in which PEI owns registrations for its PENGUIN Marks.

OPPOSITION BASED UPON LIKELIHOOD OF CONSUMER CONFUSION

20. PEI repeats and re-alleges the allegations of Paragraphs 1 through 19 above, as though fully set forth herein.

21. PEI has used the PENGUIN Marks in U.S. commerce prior to Applicant's adoption, use, and application to register the Opposed Mark.

22. Applicant's Opposed Mark is confusingly similar to PEI's family of

PENGUIN Marks, and registration and use thereof by Applicant in connection with clothing and apparel is likely to cause confusion, mistake, or deception that Applicant's goods are those of PEI or are otherwise, endorsed, sponsored, or approved by PEI, or cause confusion, mistake, or deception as to the affiliation, connection, or association between Applicant and PEI.

23. If Applicant is permitted to use and register the Opposed Mark in connection with clothing and apparel, confusion would be caused due to the similarity between Applicant's Opposed Mark and PEI's family of PENGUIN Marks. Consumers are likely to buy Applicant's products incorrectly believing that such products are provided by, endorsed by, or associated with PEI.

24. Such confusion will result in irreparable damage and injury to PEI.

25. If Applicant is granted registration for the Opposed Mark as shown in Application Serial No. 79/153,406, Applicant would thereby obtain a *prima facie* exclusive right to use such mark, and such Registration would be the source of irreparable damage and injury to PEI.

26. Accordingly, Applicant's application to register the Opposed Mark must be refused registration under Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d), as amended.

OPPOSITION BASED ON DILUTION

27. PEI repeats and re-alleges the allegations of Paragraphs 1 through 26 above, as though fully set forth herein.

28. The PENGUIN Marks are famous in that they are widely recognized by the general consuming public.

29. Applicant's commercial use of the Opposed Mark in commerce in connection with clothing dilutes, or is likely to dilute, the distinctive quality and reputation of PEI's famous PENGUIN Marks under Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c).

30. If Applicant is permitted to use and register the Opposed Mark in connection with clothing, dilution of the distinctive quality and reputation of PEI's famous PENGUIN Marks would result in irreparable damage and injury to PEI.

31. Accordingly, Applicant's application to register the Opposed Mark must be refused registration under Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c), as amended.

PRAYER FOR RELIEF

WHEREFORE, PEI prays that the application to register the Opposed Mark be refused.

PEI submits herewith the requisite filing fee in the amount of \$300. The Board is authorized to charge PTO Deposit Account No. 50-4454 for any additional charges or fees related to this filing.

Respectfully submitted,

PEI LICENSING, INC.

Dated: September 23, 2015

By: /Stephen D. Lott/
Joseph V. Norvell
Thomas M. Monagan, III
Stephen D. Lott
NORVELL IP LLC
PO Box 2461

Chicago, IL 60690
Telephone: (888) 315-0732
Facsimile: (312) 268-5063
officeactions@norvellip.com

Attorneys for PEI LICENSING, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing NOTICE OF OPPOSITION has been served upon Applicant and its Attorney of Record via United States first class mail, postage prepaid, with a courtesy copy by email, addressed to:

Destek Patent Anonim Şirketi
Lefkose Caddesi, NM Ofis Park
B Blok No: 36/5
TR-16110 BEŞEVLER - NİLÜFER - BURSA
Turkey
trademarks@destekpatent.com.tr;
destek@destekpatent.com

Atel Tekstil Sanayi ve Ticaret Anonim Şirketi
Yakuplu Mermerciler Sanayi Sitesi
5. Cadde. No. 9 Beylikdüzü
Istanbul, Turkey

Dated: September 23, 2015

By: /Stephen D. Lott/
Stephen D. Lott

Exhibit A

United States Patent Office

673,912
Registered Feb. 10, 1959

PRINCIPAL REGISTER Trademark

Ser. No. 39,655, filed Oct. 28, 1957



Munsingwear, Inc. (Delaware corporation)
718 Glenwood Ave.
Minneapolis, Minn.

For: GOLF SHIRTS AND OTHER SPORTSWEAR—
NAMELY, SPORT SHIRTS, BOWLING SHIRTS,
SWEATERS, AND BEACH JACKETS—in CLASS 39.
First use Feb. 21, 1956; in commerce Feb. 21, 1956.

Amendment

Registered February 10, 1959

Registration No. 673,912

Munsingwear, Inc.

Application to amend having been made by Munsingwear, Inc., owner of the registration above identified, the drawing is amended to appear as follows:



Such amendment has been entered upon the records of the Patent Office and the said original registration should be read as so amended.

Signed and sealed this 27th day of March 1973.

[SEAL]

Attest:

K. E. PATRICK,
Attesting Officer.

ROBERT GOTTSCHALK,
Commissioner of Patents.

Generated on: This page was generated by TSDR on 2015-09-22 18:45:58 EDT

Mark:



US Serial Number: 72039655
US Registration Number: 673912
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Feb. 25, 2009

Application Filing Date: Oct. 28, 1957
Registration Date: Feb. 10, 1959

Mark Information

Mark Literal Elements: None
Standard Character Claim: No
Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)
Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.26 - Costumed birds and bats and those with human attributes

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: GOLF SHIRTS AND OTHER SPORTSWEAR-NAMELY, SPORT SHIRTS, [BOWLING SHIRTS], SWEATERS [, AND BEACH JACKETS]

International Class(es): 010, 025, 026
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 21, 1956

U.S Class(es): 039 - Primary Class
Use in Commerce: Feb. 21, 1956

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.
Owner Address: 3000 N.W. 107TH AVENUE
MIAMI, FLORIDA 33172
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins
Attorney Primary Email: tricia.thompkins@pery.com
Attorney Email: Yes

Address:

Authorized:

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: (786) 221-8735

Correspondent e-mail: tricia.thompkins@pery.com legal@pery.comCorrespondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 18, 2009	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	71427
Sep. 02, 2009	REVIEW OF CORRESPONDENCE COMPLETE	69934
Aug. 12, 2009	ASSIGNED TO PARALEGAL	69934
Aug. 10, 2009	TEAS SECTION 8 & 9 RECEIVED	
Feb. 25, 2009	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	76533
Feb. 25, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 11, 2009	ASSIGNED TO PARALEGAL	76533
Feb. 09, 2009	TEAS SECTION 8 & 9 RECEIVED	
Oct. 23, 2008	CASE FILE IN TICRS	
Mar. 16, 1999	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Oct. 06, 1998	RESPONSE RECEIVED TO POST REG. ACTION	
Oct. 06, 1998	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Sep. 23, 1998	POST REGISTRATION ACTION MAILED - SEC. 9	
Jul. 28, 1998	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Feb. 10, 1979	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 10, 2009

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: POST REGISTRATION

Date in Location: Aug. 12, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 15

Registrant: MUNSINGWEAR, INC.

Assignment 1 of 15

Conveyance: SECURITY INTEREST

Reel/Frame: [0601/0457](#)

Pages: 28

Date Recorded: Apr. 28, 1988

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#) **Execution Date:** Apr. 26, 1988
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [FIDELCOR BUSINESS CREDIT CORPORATION](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK
Address: 332 SOUTH MICHIGAN AVENUE
CHICAGO, ILLINOIS 60604

Correspondent

Correspondent Name: PRENTICE HALL LEGAL & FINANCIAL SERVICES
Correspondent Address: P.O. BOX 1110
500 CENTRAL AVENUE
ALBANY, NY 12201-1110

Domestic Representative - Not Found

Assignment 2 of 15

Conveyance: SECURITY INTEREST
Reel/Frame: [0802/0370](#) **Pages:** 12
Date Recorded: Mar. 08, 1991
Supporting Documents: No Supporting Documents Available

Assignor

Name: [FIDELCOR BUSINESS CREDIT CORPORATION](#) **Execution Date:** Jan. 31, 1991
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [CIT GROUP/CREDIT FINANCE, INC., THE](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found
Address: 810 SEVENTH AVENUE
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: EPSTEIN, EDELL & RETZER
Correspondent Address: 1901 RESEARCH BOULEVARD
SUITE 220
ROCKVILLE, MARYLAND 20850

Domestic Representative - Not Found

Assignment 3 of 15

Conveyance: SECURITY INTEREST
Reel/Frame: [0912/0265](#) **Pages:** 14
Date Recorded: Dec. 04, 1992
Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#) **Execution Date:** Sep. 29, 1992
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [NORWEST BANK MINNESOTA](#)
Legal Entity Type: A NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** No Place Where Organized Found
Address: NATIONAL ASSOCIATION
SIXTH AND MARQUETTE
MINNEAPOLIS, MINNESOTA 55479

Correspondent

Correspondent Name: ALOK VIDYARTHI
Correspondent Address: WINTHROP & WEINSTINE
3200 MINNESOTA WORLD, TRADE CENTER
30 EAST SEVENTH STREET
ST. PAUL, MN 55101

Domestic Representative - Not Found

Assignment 4 of 15

Conveyance: RELEASE OF SECURITY AGREEMENT EXECUTED ON 11/24/1992.

Reel/Frame: [0916/0237](#)

Pages: 7

Date Recorded: Dec. 04, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [FIDELCOR BUSINESS CREDIT CORPORATION](#)

Execution Date: Nov. 24, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [MUNSINGWEAR, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 8000 WEST 78TH STREET
MINNEAPOLIS, MINNESOTA 55439

Correspondent

Correspondent Name: ALOK VIDYARTHI

Correspondent Address: WINTHROP & WEINSTINE
3200 MINNESOTA WORLD TRADE CENTER
30 EAST SEVENTH STREET
ST. PAUL, MN 55101

Domestic Representative - Not Found

Assignment 5 of 15

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [1244/0260](#)

Pages: 11

Date Recorded: Nov. 18, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [NORWEST BANK MINNESOTA](#)

Execution Date: Dec. 04, 1992

Legal Entity Type: A NATIONAL ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [MUNSINGWEAR, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 8000 WEST 78TH STREET
MINNEAPOLIS, MINNESOTA 55439

Correspondent

Correspondent Name: BETH G. TIMM, ESQ.

Correspondent Address: 3000 DAIN BOSWORTH PLAZA, 60 SOUTH
SIXTH STREET
MINNEAPOLIS, MINNESOTA 55402

Domestic Representative - Not Found

Assignment 6 of 15

Conveyance: PATENT, TRADEMARK AND LICENSE MORTGAGE

Reel/Frame: [1236/0146](#)

Pages: 48

Date Recorded: Oct. 20, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#)

Execution Date: Sep. 21, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [LASALLE NATIONAL BANK ATTN: ASSET BASED LENDING \(L-509\)](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ILLINOIS

Address: 120 S. LASALLE STREET
CHICAGO, IL 60603

Correspondent

Correspondent Name: REGINA REYNOLDS

Correspondent Address: LASALLE NATIONAL BANK
ATTN: ASSET BASED LENDING (L-509)

120 S. LASALLE STREET
CHICAGO, IL 60603

Domestic Representative - Not Found

Assignment 7 of 15

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [1228/0401](#)

Pages: 6

Date Recorded: Oct. 20, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#)

Execution Date: Oct. 06, 1994

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Assignee

Name: [LASALLE NATIONAL BANK](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** ILLINOIS

Address: ATTN: ASSET BASED LENDING (L-509)
120 S. LASALLE STREET CHICAGO, ILLINOIS 60603

Correspondent

Correspondent Name: LASALLE NATIONAL BANK

Correspondent Address: ASSET BASED LENDING DEPARTMENT
120 S. LASALLE STREET, SUITE 509
CHICAGO, ILLINOIS 60603
ATTN: DEBORAH BESENHOFER

Domestic Representative - Not Found

Assignment 8 of 15

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1510/0417](#)

Pages: 6

Date Recorded: Sep. 09, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#)

Execution Date: Sep. 06, 1996

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Assignee

Name: [SUPREME INTERNATIONAL CORPORATION](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** FLORIDA

Address: 7495 NW 48TH STREET
MIAMI, FLORIDA 33166

Correspondent

Correspondent Name: OBLON, SPIVAK, MCCLELLAND ET AL.

Correspondent Address: ROBERTA S. BREN
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 9 of 15

Conveyance: RELEASE & DISCHARGE OF ALL INTERESTS

Reel/Frame: [1503/0850](#)

Pages: 14

Date Recorded: Sep. 19, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [LASALLE NATIONAL BANK](#)

Execution Date: Sep. 10, 1996

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** ILLINOIS

Assignee

Name: [MUNSINGWEAR, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Address: 800 WEST 78TH STREET, SUITE 400

Correspondent**Correspondent Name:** PATTERSON & KEOUGH, P.A.**Correspondent Address:** COLLEEN M. SCHMID
1200 RAND TOWER
527 MARQUETTA AVENUE, SOUTH
MINNEAPOLIS, MN 55402**Domestic Representative - Not Found****Assignment 10 of 15****Conveyance:** SECURITY AGREEMENT**Reel/Frame:** [1715/0688](#)**Pages:** 65**Date Recorded:** Apr. 08, 1998**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [SUPREME INTERNATIONAL CORPORATION](#)**Execution Date:** Mar. 31, 1998**Legal Entity Type:** UNKNOWN**State or Country Where
Organized:** No Place Where Organized Found**Assignee****Name:** [NATIONSBANK, N.A.](#)**Legal Entity Type:** ASSOCIATION**State or Country Where
Organized:** No Place Where Organized Found**Address:** 600 PEACHTREE STREET, N.E.
ATLANTA, GEORGIA 30308**Correspondent****Correspondent Name:** TROUTMAN SANDERS LLP**Correspondent Address:** MICHAEL D. HOBBS, JR.
600 PEACHTREE STREET, N.E.
ATLANTA, GA 30308**Domestic Representative - Not Found****Assignment 11 of 15****Conveyance:** SECURITY INTEREST**Reel/Frame:** [2287/0353](#)**Pages:** 164**Date Recorded:** Apr. 20, 1999**Supporting Documents:** [assignment-tm-2287-0353.pdf](#)**Assignor****Name:** [SUPREME INTERNATIONAL CORPORATION](#)**Execution Date:** Mar. 26, 1999**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** FLORIDA**Assignee****Name:** [NATIONSBANK, N.A.](#)**Legal Entity Type:** NATIONAL BANKING ASSOCIATION**State or Country Where
Organized:** No Place Where Organized Found**Address:** P.O. BOX 3406
ALTANTA, GEORGIA 30302-3406**Correspondent****Correspondent Name:** TROUTMAN SANDERS LLP**Correspondent Address:** JAMES D. WRIGHT
600 PEACHTREE STREET, N.E.
SUITE 5200
ATLANTA GA 30308-2216**Domestic Representative - Not Found****Assignment 12 of 15****Conveyance:** SECURITY INTEREST**Reel/Frame:** [2486/0001](#)**Pages:** 145**Date Recorded:** Apr. 08, 2002**Supporting Documents:** [assignment-tm-2486-0001.pdf](#)**Assignor****Name:** [PERRY ELLIS INTERNATIONAL, INC.](#)**Execution Date:** Mar. 22, 2002**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** No Place Where Organized Found**Assignee**

Name: [STATE STREET BANK AND TRUST COMPANY](#)

Legal Entity Type: TRUST COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: CORPORATE TRUST
61 BROADWAY, 15TH FLOOR
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: SHEARMAN & STERLING

Correspondent Address: CHAD M. YOHN
INTELLECTUAL PROPERTY DOCKETING
599 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 13 of 15

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2545/0667](#)

Pages: 4

Date Recorded: May 21, 2002

Supporting Documents: [assignment-tm-2545-0667.pdf](#)

Assignor

Name: [SUPREME INTERNATIONAL CORPORATION](#)

Execution Date: May 16, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [PEI LICENSING, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172

Correspondent

Correspondent Name: GERI LYNN MANKOFF

Correspondent Address: 3000 NW 107TH AVENUE
MIAMI, FL 33172

Domestic Representative - Not Found

Assignment 14 of 15

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2608/0673](#)

Pages: 38

Date Recorded: Nov. 06, 2002

Supporting Documents: [assignment-tm-2608-0673.pdf](#)

Assignor

Name: [PEI LICENSING, INC.](#)

Execution Date: Oct. 01, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [CONGRESS FINANCIAL CORPORATION \(FL\), AS AGENT](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 777 BRICKELL AVENUE
MIAMI, FLORIDA 33131

Correspondent

Correspondent Name: OTTERBOURG, STEINDLER, HOUSTON, ET AL

Correspondent Address: HELEN M. LINEHAN
230 PARK AVENUE
NEW YORK, NEW YORK 10169

Domestic Representative - Not Found

Assignment 15 of 15

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2608/0825](#)

Pages: 13

Date Recorded: Nov. 06, 2002

Supporting Documents: [assignment-tm-2608-0825.pdf](#)

Assignor

Name: [BANK OF AMERICA, N.A., FORMERLY](#)

Execution Date: Oct. 01, 2002

[NATIONS BANK, N.A. IN ITS CAPACITY AS AGENT](#)

Legal Entity Type: NATIONAL ASSOC.

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [PERRY ELLIS INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172

Name: [SUPREME INTERNATIONAL CORPORATION](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172

Correspondent

Correspondent Name: OTTERBOURG, STEINDLER ET AL.

Correspondent Address: HELEN M. LINEHAN
230 PARK AVENUE
NEW YORK, NY 10169

Domestic Representative - Not Found

Int. Cl.: 18, 25, 28

Prior U.S. Cl.: 3, 22, 39, 41

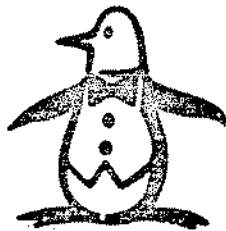
United States Patent and Trademark Office

Reg. No. 1,116,035

Registered Apr. 3, 1979

TRADEMARK

Principal Register



Munsingwear, Inc. (Delaware corporation)
718 Glenwood Ave.
Minneapolis, Minn. 55405

For: BARREL BAGS AND GOLF UMBRELLAS, in
CLASS 18 (U.S. CLS. 3 and 41).

First use July 15, 1977; in commerce July 15, 1977.

For: GOLF CAPS, in CLASS 25 (U.S. CL. 39).

First use July 13, 1977; in commerce Nov. 22, 1977.

For: GOLF BAG COVERS, GOLF BALLS, GOLF
TEES, RACKET COVERS AND TENNIS BAGS, in
CLASS 28 (U.S. CL. 22).

First use at least as early as 1969; in commerce at least
as early as 1969.

Owner of Reg. Nos. 677,017, 961,375, 1,034,409, and
others.

Ser. No. 164,596, filed Mar. 31, 1978.

V. T. HARFORD, Jr., Examiner

Int. Cl.: 18, 25, 28

Prior U.S. Cl.: 3, 22, 39, 41

United States Patent and Trademark Office

Reg. No. I,116,035

Registered Apr. 3, 1979

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Munsingwear, Inc. (Delaware corporation)
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First use July 15, 1977; in commerce July 15, 1977.

For: GOLF CAPS, in CLASS 25 (U.S. CL. 39).

First use July 13, 1977; in commerce Nov. 22, 1977.

For: GOLF BAG COVERS, GOLF BALLS, GOLF
TEES, RACKET COVERS AND TENNIS BAGS, in
CLASS 28 (U.S. CL. 22).

First use at least as early as 1969; in commerce at least
as early as 1969.

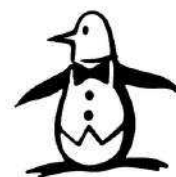
Owner of Reg. Nos. 677,017, 961,375, 1,034,409, and
others.

Ser. No. 164,596, filed Mar. 31, 1978.

V. T. HARFORD, Jr., Examiner

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Mark:



US Serial Number: 73164596	Application Filing Date: Mar. 31, 1978
US Registration Number: 1116035	Registration Date: Apr. 03, 1979
Register: Principal	
Mark Type: Trademark	
Status: The registration has been renewed.	
Status Date: Oct. 08, 2009	

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.26 - Costumed birds and bats and those with human attributes

Related Properties Information

Claimed Ownership of US Registrations: 0677017, 0961375, 1034409 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: BARREL BAGS AND GOLF UMBRELLAS

International Class(es): 018 - Primary Class

U.S Class(es): 003, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 15, 1977

Use in Commerce: Jul. 15, 1977

For: [GOLF CAPS]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Jul. 13, 1977

Use in Commerce: Nov. 22, 1977

For: GOLF BAG COVERS, GOLF BALLS, GOLF TEES, [RACKET COVERS AND TENNIS BAGS]

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1969

Use in Commerce: 1969

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No
Filed No Basis: No

Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: SUPREME INTERNATIONAL CORPORATION
Owner Address: 3000 N.W. 107TH AVENUE
MIAMI, FLORIDA 33172
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Geri Lynn Mankoff-Elias

Correspondent

Correspondent Name/Address: Geri Lynn Mankoff-Elias
SUPREME INTERNATIONAL CORPORATION
3000 NW 107TH AVE
MIAMI, FLORIDA 33172
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Oct. 08, 2009	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	59807
Oct. 08, 2009	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	59807
Oct. 08, 2009	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	59807
Oct. 08, 2009	POST REGISTRATION ACTION CORRECTION	59807
Oct. 05, 2009	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	59807
Oct. 05, 2009	TEAS SECTION 8 & 9 RECEIVED	
Jan. 14, 2008	CASE FILE IN TICRS	
Jun. 03, 1999	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Mar. 30, 1999	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
May 20, 1985	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 04, 1985	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Filed Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Filed Section 15 - Accepted
Renewal Filed: Yes
Renewal Date: Apr. 03, 2009
Change in Registration: Yes

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Oct. 08, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 15

Registrant: MUNSINGWEAR, INC.

Assignment 1 of 15**Conveyance:** SECURITY INTEREST**Reel/Frame:** [0601/0457](#)**Pages:** 28**Date Recorded:** Apr. 28, 1988**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [MUNSINGWEAR, INC.](#)**Execution Date:** Apr. 26, 1988**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** DELAWARE**Assignee****Name:** [FIDELCOR BUSINESS CREDIT CORPORATION](#)**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** NEW YORK**Address:** 332 SOUTH MICHIGAN AVENUE
CHICAGO, ILLINOIS 60604**Correspondent****Correspondent Name:** PRENTICE HALL LEGAL & FINANCIAL SERVICES**Correspondent Address:** P.O. BOX 1110
500 CENTRAL AVENUE
ALBANY, NY 12201-1110**Domestic Representative - Not Found****Assignment 2 of 15****Conveyance:** SECURITY INTEREST**Reel/Frame:** [0802/0370](#)**Pages:** 12**Date Recorded:** Mar. 08, 1991**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [FIDELCOR BUSINESS CREDIT CORPORATION](#)**Execution Date:** Jan. 31, 1991**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** No Place Where Organized Found**Assignee****Name:** [CIT GROUP/CREDIT FINANCE, INC., THE](#)**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** No Place Where Organized Found**Address:** 810 SEVENTH AVENUE
NEW YORK, NEW YORK 10019**Correspondent****Correspondent Name:** EPSTEIN, EDELL & RETZER**Correspondent Address:** 1901 RESEARCH BOULEVARD
SUITE 220
ROCKVILLE, MARYLAND 20850**Domestic Representative - Not Found****Assignment 3 of 15****Conveyance:** SECURITY INTEREST**Reel/Frame:** [0912/0265](#)**Pages:** 14**Date Recorded:** Dec. 04, 1992**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [MUNSINGWEAR, INC.](#)**Execution Date:** Sep. 29, 1992**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** DELAWARE**Assignee****Name:** [NORWEST BANK MINNESOTA](#)**Legal Entity Type:** A NATIONAL BANKING ASSOCIATION**State or Country Where
Organized:** No Place Where Organized Found**Address:** NATIONAL ASSOCIATION
SIXTH AND MARQUETTE
MINNEAPOLIS, MINNESOTA 55479**Correspondent****Correspondent Name:** ALOK VIDYARTHI

Correspondent Address: WINTHROP & WEINSTINE
3200 MINNESOTA WORLD, TRADE CENTER
30 EAST SEVENTH STREET
ST. PAUL, MN 55101

Domestic Representative - Not Found

Assignment 4 of 15

Conveyance: RELEASE OF SECURITY AGREEMENT EXECUTED ON 11/24/1992.

Reel/Frame: [0916/0237](#)

Pages: 7

Date Recorded: Dec. 04, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [FIDELCOR BUSINESS CREDIT CORPORATION](#)

Execution Date: Nov. 24, 1992

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** NEW YORK

Assignee

Name: [MUNSINGWEAR, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Address: 8000 WEST 78TH STREET
MINNEAPOLIS, MINNESOTA 55439

Correspondent

Correspondent Name: ALOK VIDYARTHI

Correspondent Address: WINTHROP & WEINSTINE
3200 MINNESOTA WORLD TRADE CENTER
30 EAST SEVENTH STREET
ST. PAUL, MN 55101

Domestic Representative - Not Found

Assignment 5 of 15

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [1244/0260](#)

Pages: 11

Date Recorded: Nov. 18, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [NORWEST BANK MINNESOTA](#)

Execution Date: Dec. 04, 1992

Legal Entity Type: A NATIONAL ASSOCIATION

**State or Country Where
Organized:** No Place Where Organized Found

Assignee

Name: [MUNSINGWEAR, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Address: 8000 WEST 78TH STREET
MINNEAPOLIS, MINNESOTA 55439

Correspondent

Correspondent Name: BETH G. TIMM, ESQ.

Correspondent Address: 3000 DAIN BOSWORTH PLAZA, 60 SOUTH
SIXTH STREET
MINNEAPOLIS, MINNESOTA 55402

Domestic Representative - Not Found

Assignment 6 of 15

Conveyance: PATENT, TRADEMARK AND LICENSE MORTGAGE

Reel/Frame: [1236/0146](#)

Pages: 48

Date Recorded: Oct. 20, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#)

Execution Date: Sep. 21, 1994

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Assignee

Name: [LASALLE NATIONAL BANK ATTN: ASSET BASED LENDING \(L-509\)](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** ILLINOIS

Address: 120 S. LASALLE STREET
CHICAGO, IL 60603

Correspondent

Correspondent Name: REGINA REYNOLDS

Correspondent Address: LASALLE NATIONAL BANK
ATTN: ASSET BASED LENDING (L-509)
120 S. LASALLE STREET
CHICAGO, IL 60603

Domestic Representative - Not Found

Assignment 7 of 15

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [1228/0401](#)

Pages: 6

Date Recorded: Oct. 20, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#)

Execution Date: Oct. 06, 1994

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Assignee

Name: [LASALLE NATIONAL BANK](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** ILLINOIS

Address: ATTN: ASSET BASED LENDING (L-509)
120 S. LASALLE STREET CHICAGO, ILLINOIS 60603

Correspondent

Correspondent Name: LASALLE NATIONAL BANK

Correspondent Address: ASSET BASED LENDING DEPARTMENT
120 S. LASALLE STREET, SUITE 509
CHICAGO, ILLINOIS 60603
ATTN: DEBORAH BESENHOFER

Domestic Representative - Not Found

Assignment 8 of 15

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1510/0417](#)

Pages: 6

Date Recorded: Sep. 09, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#)

Execution Date: Sep. 06, 1996

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Assignee

Name: [SUPREME INTERNATIONAL CORPORATION](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** FLORIDA

Address: 7495 NW 48TH STREET
MIAMI, FLORIDA 33166

Correspondent

Correspondent Name: OBLON, SPIVAK, MCCLELLAND ET AL.

Correspondent Address: ROBERTA S. BREN
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 9 of 15

Conveyance: RELEASE & DISCHARGE OF ALL INTERESTS

Reel/Frame: [1503/0850](#)

Pages: 14

Date Recorded: Sep. 19, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [LASALLE NATIONAL BANK](#)

Execution Date: Sep. 10, 1996

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** ILLINOIS

Assignee	
Name: MUNSINGWEAR, INC.	
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE
Address: 800 WEST 78TH STREET, SUITE 400 MINNEAPOLIS, MINNESOTA 55439	
Correspondent	
Correspondent Name: PATTERSON & KEOUGH, P.A.	
Correspondent Address: COLLEEN M. SCHMID 1200 RAND TOWER 527 MARQUETTA AVENUE, SOUTH MINNEAPOLIS, MN 55402	
Domestic Representative - Not Found	
Assignment 10 of 15	
Conveyance: SECURITY AGREEMENT	
Reel/Frame: 1715/0688	Pages: 65
Date Recorded: Apr. 08, 1998	
Supporting Documents: No Supporting Documents Available	
Assignor	
Name: SUPREME INTERNATIONAL CORPORATION	Execution Date: Mar. 31, 1998
Legal Entity Type: UNKNOWN	State or Country Where Organized: No Place Where Organized Found
Assignee	
Name: NATIONS BANK, N.A.	
Legal Entity Type: ASSOCIATION	State or Country Where Organized: No Place Where Organized Found
Address: 600 PEACHTREE STREET, N.E. ATLANTA, GEORGIA 30308	
Correspondent	
Correspondent Name: TROUTMAN SANDERS LLP	
Correspondent Address: MICHAEL D. HOBBS, JR. 600 PEACHTREE STREET, N.E. ATLANTA, GA 30308	
Domestic Representative - Not Found	
Assignment 11 of 15	
Conveyance: SECURITY INTEREST	
Reel/Frame: 2287/0353	Pages: 164
Date Recorded: Apr. 20, 1999	
Supporting Documents: assignment-tm-2287-0353.pdf	
Assignor	
Name: SUPREME INTERNATIONAL CORPORATION	Execution Date: Mar. 26, 1999
Legal Entity Type: CORPORATION	State or Country Where Organized: FLORIDA
Assignee	
Name: NATIONS BANK, N.A.	
Legal Entity Type: NATIONAL BANKING ASSOCIATION	State or Country Where Organized: No Place Where Organized Found
Address: P.O. BOX 3406 ALTANTA, GEORGIA 30302-3406	
Correspondent	
Correspondent Name: TROUTMAN SANDERS LLP	
Correspondent Address: JAMES D. WRIGHT 600 PEACHTREE STREET, N.E. SUITE 5200 ATLANTA GA 30308-2216	
Domestic Representative - Not Found	
Assignment 12 of 15	
Conveyance: SECURITY INTEREST	
Reel/Frame: 2486/0001	Pages: 145
Date Recorded: Apr. 08, 2002	
Supporting Documents: assignment-tm-2486-0001.pdf	

Assignor	
Name: PERRY ELLIS INTERNATIONAL, INC.	Execution Date: Mar. 22, 2002
Legal Entity Type: CORPORATION	State or Country Where Organized: No Place Where Organized Found
Assignee	
Name: STATE STREET BANK AND TRUST COMPANY	
Legal Entity Type: TRUST COMPANY	State or Country Where Organized: No Place Where Organized Found
Address: CORPORATE TRUST 61 BROADWAY, 15TH FLOOR NEW YORK, NEW YORK 10006	
Correspondent	
Correspondent Name: SHEARMAN & STERLING	
Correspondent Address: CHAD M. YOHN INTELLECTUAL PROPERTY DOCKETING 599 LEXINGTON AVENUE NEW YORK, NY 10022	
Domestic Representative - Not Found	
Assignment 13 of 15	
Conveyance: ASSIGNS THE ENTIRE INTEREST	
Reel/Frame: 2545/0667	Pages: 4
Date Recorded: May 21, 2002	
Supporting Documents: assignment-tm-2545-0667.pdf	
Assignor	
Name: SUPREME INTERNATIONAL CORPORATION	Execution Date: May 16, 2002
Legal Entity Type: CORPORATION	State or Country Where Organized: No Place Where Organized Found
Assignee	
Name: PEI LICENSING, INC.	
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE
Address: 3000 NW 107TH AVENUE MIAMI, FLORIDA 33172	
Correspondent	
Correspondent Name: GERI LYNN MANKOFF	
Correspondent Address: 3000 NW 107TH AVENUE MIAMI, FL 33172	
Domestic Representative - Not Found	
Assignment 14 of 15	
Conveyance: SECURITY AGREEMENT	
Reel/Frame: 2608/0673	Pages: 38
Date Recorded: Nov. 06, 2002	
Supporting Documents: assignment-tm-2608-0673.pdf	
Assignor	
Name: PEI LICENSING, INC.	Execution Date: Oct. 01, 2002
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE
Assignee	
Name: CONGRESS FINANCIAL CORPORATION (FL), AS AGENT	
Legal Entity Type: CORPORATION	State or Country Where Organized: FLORIDA
Address: 777 BRICKELL AVENUE MIAMI, FLORIDA 33131	
Correspondent	
Correspondent Name: OTTERBOURG, STEINDLER, HOUSTON, ET AL	
Correspondent Address: HELEN M. LINEHAN 230 PARK AVENUE NEW YORK, NEW YORK 10169	
Domestic Representative - Not Found	
Assignment 15 of 15	
Conveyance: RELEASE OF SECURITY INTEREST	
Reel/Frame: 2608/0825	Pages: 13

Date Recorded: Nov. 06, 2002

Supporting Documents: [assignment-tm-2608-0825.pdf](#)

Assignor

Name: [BANK OF AMERICA, N.A. FORMERLY
NATIONSBANK, N.A. IN ITS CAPACITY AS
AGENT](#)

Execution Date: Oct. 01, 2002

Legal Entity Type: NATIONAL ASSOC.

**State or Country Where
Organized:** No Place Where Organized Found

Assignee

Name: [PERRY ELLIS INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** FLORIDA

Address: 3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172

Name: [SUPREME INTERNATIONAL CORPORATION](#)

Legal Entity Type: UNKNOWN

**State or Country Where
Organized:** No Place Where Organized Found

Address: 3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172

Correspondent

Correspondent Name: OTTERBOURG, STEINDLER ET AL.

Correspondent Address: HELEN M. LINEHAN
230 PARK AVENUE
NEW YORK, NY 10169

Domestic Representative - Not Found

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,075,922

Registered July 1, 1997

**TRADEMARK
PRINCIPAL REGISTER**

PENGUIN  SPORT

SUPREME INTERNATIONAL CORPORATION
(FLORIDA CORPORATION)
7495 NW 48TH STREET
MIAMI, FL 33166 ASSIGNEE OF MUNSING-
WEAR, INC. (DELAWARE CORPORATION)
MINNEAPOLIS, MN 55439

FOR: CLOTHING; NAMELY, MEN'S,
WOMEN'S AND CHILDREN'S TOPS, SHIRTS,
SKIRTS, PULLOVER WINDSHIRTS, PANTS,
SHORTS, SWEAT SHIRTS, JACKETS, HO-
SIERY, HATS, SCARVES, GLOVES, FOOT-
WEAR; ACTIVEWEAR; NAMELY, JACKETS,
PULLOVER WINDSHIRTS, SWEATERS,
SHIRTS, SKIRTS, SHORTS, PANTS, SWIM-
WEAR, WARM-UP SUITS, TRAINING SUITS,
SWEAT SUITS, SWEAT SHIRTS, SWEAT
SHORTS, SWEAT PANTS, FOOTWEAR, HO-
SIERY, HATS, SCARVES AND GLOVES; AND

SPORTSWEAR; NAMELY, SHORTS, JACKETS,
PULLOVER WINDSHIRTS, SHIRTS, SKIRTS,
PANTS, WARM-UP SUITS, TRAINING SUITS,
SWEAT SUITS, SWEAT SHIRTS, SWEAT
SHORTS, SWEAT PANTS, HOSIERY, HATS,
SCARVES, GLOVES AND FOOTWEAR, IN
CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-0-1992; IN COMMERCE
1-0-1992.

OWNER OF U.S. REG. NOS. 903,044, 1,569,866,
AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "SPORT", APART FROM THE
MARK AS SHOWN.

SER. NO. 74-236,566, FILED 1-10-1992.

CHRISIE B. KING, EXAMINING ATTORNEY

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Mark: PENGUIN SPORT



US Serial Number: 74236566

Application Filing Date: Jan. 10, 1992

US Registration Number: 2075922

Registration Date: Jul. 01, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 03, 2007

Publication Date: Aug. 11, 1992

Notice of Allowance Date: May 16, 1995

Mark Information

Mark Literal Elements: PENGUIN SPORT

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Disclaimer: "SPORT"

Design Search Code(s): 03.15.15 - Puffins; Penguins

Related Properties Information

Claimed Ownership of US Registrations: 0903044, 1569866 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: clothing; namely, men's, women's and children's tops, shirts, skirts, pullover windshirts, pants, shorts, sweat shirts, jackets, hosiery, hats, scarves, gloves, footwear; activewear; namely, jackets, pullover windshirts, sweaters, shirts, skirts, shorts, pants, swimwear, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, footwear, hosiery, hats, scarves and gloves; and sportswear; namely, shorts, jackets, pullover windshirts, shirts, skirts, pants, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, hosiery, hats, scarves, gloves and footwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1992

Use in Commerce: Jan. 1992

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.

Owner Address: 3000 NW 107TH AVE.
MIAMI, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Tricia McDermott Thompkins**Attorney Primary Email Address:** tricia.thompkins@pery.com**Attorney Email Authorized:** Yes**Correspondent****Correspondent Name/Address:** Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES**Phone:** (305) 873-1735**Fax:** (786) 221-8735**Correspondent e-mail:** tricia.thompkins@pery.com legal@pery.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 11, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 03, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Aug. 03, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 03, 2007	ASSIGNED TO PARALEGAL	73376
Jul. 02, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 02, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 15, 2006	CASE FILE IN TICRS	
Aug. 13, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 02, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 02, 2003	TEAS SECTION 8 & 15 RECEIVED	
Aug. 27, 1997	REPRINTING REGISTRATION CERTIFICATE	
Jul. 22, 1997	SEC 7 REQUEST FILED	
Jul. 01, 1997	REGISTERED-PRINCIPAL REGISTER	
May 03, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 31, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 31, 1997	EXTENSION 3 GRANTED	
Nov. 13, 1996	USE AMENDMENT FILED	
Nov. 13, 1996	EXTENSION 3 FILED	
Jun. 24, 1996	EXTENSION 2 GRANTED	
Mar. 22, 1996	EXTENSION 2 FILED	
Nov. 20, 1995	EXTENSION 1 GRANTED	
Oct. 10, 1995	EXTENSION 1 FILED	
May 16, 1995	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 14, 1995	OPPOSITION TERMINATED NO. 999999	89602
Oct. 19, 1994	OPPOSITION DISMISSED NO. 999999	89602
Jan. 06, 1993	OPPOSITION INSTITUTED NO. 999999	89602
Aug. 11, 1992	PUBLISHED FOR OPPOSITION	
Jul. 10, 1992	NOTICE OF PUBLICATION	
Apr. 01, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 23, 1992	EXAMINER'S AMENDMENT MAILED	

Mar. 11, 1992 EXAMINER'S AMENDMENT MAILED

Feb. 26, 1992 ASSIGNED TO EXAMINER

66483

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 01, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Aug. 03, 2007

Assignment Abstract Of Title Information

Summary

Total Assignments: 8

Registrant: SUPREME INTERNATIONAL CORPORATION

Assignment 1 of 8

Conveyance: PATENT, TRADEMARK AND LICENSE MORTGAGE

Reel/Frame: [1236/0146](#)

Pages: 48

Date Recorded: Oct. 20, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#)

Execution Date: Sep. 21, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [LASALLE NATIONAL BANK ATTN: ASSET BASED LENDING \(L-509\)](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: ILLINOIS

Address: 120 S. LASALLE STREET
CHICAGO, IL 60603

Correspondent

Correspondent Name: REGINA REYNOLDS

Correspondent Address: LASALLE NATIONAL BANK
ATTN: ASSET BASED LENDING (L-509)
120 S. LASALLE STREET
CHICAGO, IL 60603

Domestic Representative - Not Found

Assignment 2 of 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1510/0417](#)

Pages: 6

Date Recorded: Sep. 09, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MUNSINGWEAR, INC.](#)

Execution Date: Sep. 06, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [SUPREME INTERNATIONAL CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 7495 NW 48TH STREET
MIAMI, FLORIDA 33166

Correspondent

Correspondent Name: OBLON, SPIVAK, MCCLELLAND ET AL.

Correspondent Address: ROBERTA S. BREN
FOURTH FLOOR

1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 3 of 8

Conveyance: RELEASE & DISCHARGE OF ALL INTERESTS

Reel/Frame: [1503/0850](#)

Pages: 14

Date Recorded: Sep. 19, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [LASALLE NATIONAL BANK](#)

Execution Date: Sep. 10, 1996

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** ILLINOIS

Assignee

Name: [MUNSINGWEAR, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Address: 800 WEST 78TH STREET, SUITE 400
MINNEAPOLIS, MINNESOTA 55439

Correspondent

Correspondent Name: PATTERSON & KEOUGH, P.A.

Correspondent Address: COLLEEN M. SCHMID
1200 RAND TOWER
527 MARQUETTA AVENUE, SOUTH
MINNEAPOLIS, MN 55402

Domestic Representative - Not Found

Assignment 4 of 8

Conveyance: SECURITY INTEREST

Reel/Frame: [2287/0353](#)

Pages: 164

Date Recorded: Apr. 20, 1999

Supporting Documents: [assignment-tm-2287-0353.pdf](#)

Assignor

Name: [SUPREME INTERNATIONAL CORPORATION](#)

Execution Date: Mar. 26, 1999

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** FLORIDA

Assignee

Name: [NATIONSBANK, N.A.](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

**State or Country Where
Organized:** No Place Where Organized Found

Address: P.O. BOX 3406
ALTANTA, GEORGIA 30302-3406

Correspondent

Correspondent Name: TROUTMAN SANDERS LLP

Correspondent Address: JAMES D. WRIGHT
600 PEACHTREE STREET, N.E.
SUITE 5200
ATLANTA GA 30308-2216

Domestic Representative - Not Found

Assignment 5 of 8

Conveyance: SECURITY INTEREST

Reel/Frame: [2486/0001](#)

Pages: 145

Date Recorded: Apr. 08, 2002

Supporting Documents: [assignment-tm-2486-0001.pdf](#)

Assignor

Name: [PERRY ELLIS INTERNATIONAL, INC.](#)

Execution Date: Mar. 22, 2002

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** No Place Where Organized Found

Assignee

Name: [STATE STREET BANK AND TRUST COMPANY](#)

Legal Entity Type: TRUST COMPANY

**State or Country Where
Organized:** No Place Where Organized Found

Address: CORPORATE TRUST

61 BROADWAY, 15TH FLOOR
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: SHEARMAN & STERLING

Correspondent Address: CHAD M. YOHN
INTELLECTUAL PROPERTY DOCKETING
599 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 6 of 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2545/0667](#)

Pages: 4

Date Recorded: May 21, 2002

Supporting Documents: [assignment-tm-2545-0667.pdf](#)

Assignor

Name: [SUPREME INTERNATIONAL CORPORATION](#)

Execution Date: May 16, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [PEI LICENSING, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172

Correspondent

Correspondent Name: GERI LYNN MANKOFF

Correspondent Address: 3000 NW 107TH AVENUE
MIAMI, FL 33172

Domestic Representative - Not Found

Assignment 7 of 8

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2608/0673](#)

Pages: 38

Date Recorded: Nov. 06, 2002

Supporting Documents: [assignment-tm-2608-0673.pdf](#)

Assignor

Name: [PEI LICENSING, INC.](#)

Execution Date: Oct. 01, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [CONGRESS FINANCIAL CORPORATION \(FL\), AS AGENT](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 777 BRICKELL AVENUE
MIAMI, FLORIDA 33131

Correspondent

Correspondent Name: OTTERBOURG, STEINDLER, HOUSTON, ET AL

Correspondent Address: HELEN M. LINEHAN
230 PARK AVENUE
NEW YORK, NEW YORK 10169

Domestic Representative - Not Found

Assignment 8 of 8

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [2608/0825](#)

Pages: 13

Date Recorded: Nov. 06, 2002

Supporting Documents: [assignment-tm-2608-0825.pdf](#)

Assignor

Name: [BANK OF AMERICA, N.A, FORMERLY NATIONSBANK, N.A. IN ITS CAPACITY AS AGENT](#)

Execution Date: Oct. 01, 2002

Legal Entity Type: NATIONAL ASSOC.

State or Country Where Organized: No Place Where Organized Found

Assignee**Name:** [PERRY ELLIS INTERNATIONAL, INC.](#)**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** FLORIDA**Address:** 3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172**Name:** [SUPREME INTERNATIONAL CORPORATION](#)**Legal Entity Type:** UNKNOWN**State or Country Where
Organized:** No Place Where Organized Found**Address:** 3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172**Correspondent****Correspondent Name:** OTTERBOURG, STEINDLER ET AL.**Correspondent Address:** HELEN M. LINEHAN
230 PARK AVENUE
NEW YORK, NY 10169**Domestic Representative - Not Found**

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,749,389

Registered Aug. 12, 2003

**TRADEMARK
PRINCIPAL REGISTER**

PENGUIN

PERRY ELLIS INTERNATIONAL, INC. (FLORIDA CORPORATION), FORMERLY SUPREME INTERNATIONAL CORPORATION
3000 NORTHWEST 107TH AVENUE
MIAMI, FL 33172

FOR: SLACKS, WALKING SHORTS, SPORT SHIRTS, AND JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-0-1967; IN COMMERCE 6-0-1967.

OWNER OF U.S. REG. NOS. 673,912, 2,075,922 AND OTHERS.

SER. NO. 76-301,300, FILED 8-17-2001.

MONIQUE MILLER, EXAMINING ATTORNEY

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Mark: PENGUIN

PENGUIN

US Serial Number: 76301300

Application Filing Date: Aug. 17, 2001

US Registration Number: 2749389

Registration Date: Aug. 12, 2003

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Sep. 05, 2013

Publication Date: May 20, 2003

Mark Information

Mark Literal Elements: PENGUIN

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 0673912, 0796003, 0903044, 0952079, 0961376, 1034409, 1116035, 1569866, 1580093, 1849971, 1928826, 2049331, 2060953, 2075921, 2075922 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Slacks, walking shorts, sport shirts, and jackets

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1967

Use in Commerce: Jun. 1967

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.

Owner Address: 3000 N.W. 107TH AVENUE
LEGAL DEPT.
MIAMI, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompson

Attorney Primary Email tricia.thompkins@pery.com

Attorney Email Yes

Address:

Authorized:

Correspondent

Correspondent Name/Address: PEI LICENSING, INC.
3000 NW 107th Ave.
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: 305-873-1735

Fax: 305-406-0513

Correspondent e-mail: legal@pery.comCorrespondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Sep. 05, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 05, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76985
Sep. 05, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76985
Aug. 23, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	76985
Sep. 05, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Aug. 23, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 23, 2013	TEAS SECTION 8 & 9 RECEIVED	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 06, 2010	REGISTERED - SEC. 15 ACKNOWLEDGED	77315
Oct. 05, 2010	TEAS SECTION 15 RECEIVED	
Dec. 31, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 25, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED	77315
Aug. 17, 2009	ASSIGNED TO PARALEGAL	77315
Aug. 12, 2009	TEAS SECTION 8 RECEIVED	
May 09, 2008	CASE FILE IN TICRS	
Aug. 12, 2003	REGISTERED-PRINCIPAL REGISTER	
May 20, 2003	PUBLISHED FOR OPPOSITION	
Apr. 30, 2003	NOTICE OF PUBLICATION	
Feb. 15, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 21, 2003	ASSIGNED TO EXAMINER	76848
Oct. 10, 2002	ASSIGNED TO EXAMINER	76848
Aug. 19, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 25, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 25, 2002	PAPER RECEIVED	
Apr. 25, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 26, 2001	NON-FINAL ACTION MAILED	
Oct. 12, 2001	ASSIGNED TO EXAMINER	78325
Sep. 28, 2001	ASSIGNED TO EXAMINER	74832

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 12, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 05, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Perry Ellis International, Inc.

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [2486/0001](#)

Pages: 145

Date Recorded: Apr. 08, 2002

Supporting Documents: [assignment-tm-2486-0001.pdf](#)

Assignor

Name: [PERRY ELLIS INTERNATIONAL, INC.](#)

Execution Date: Mar. 22, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [STATE STREET BANK AND TRUST COMPANY](#)

Legal Entity Type: TRUST COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: CORPORATE TRUST
61 BROADWAY, 15TH FLOOR
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: SHEARMAN & STERLING

Correspondent Address: CHAD M. YOHN
INTELLECTUAL PROPERTY DOCKETING
599 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2608/0673](#)

Pages: 38

Date Recorded: Nov. 06, 2002

Supporting Documents: [assignment-tm-2608-0673.pdf](#)

Assignor

Name: [PEI LICENSING, INC.](#)

Execution Date: Oct. 01, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [CONGRESS FINANCIAL CORPORATION \(FL\), AS AGENT](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 777 BRICKELL AVENUE
MIAMI, FLORIDA 33131

Correspondent

Correspondent Name: OTTERBOURG, STEINDLER, HOUSTON, ET AL

Correspondent Address: HELEN M. LINEHAN
230 PARK AVENUE
NEW YORK, NEW YORK 10169

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4120/0436](#)

Pages: 5

Date Recorded: Dec. 24, 2009

Supporting Documents: [assignment-tm-4120-0436.pdf](#)

Assignor

Name: [PERRY ELLIS INTERNATIONAL, INC.](#)

Execution Date: Dec. 07, 2009

Legal Entity Type: CORPORATION

State or Country Where
Organized: FLORIDA

Assignee

Name: [PEI LICENSING, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Address: 3000 N.W. 107TH AVENUE
LEGAL DEPT.
MIAMI, FLORIDA 33172

Correspondent

Correspondent Name: GERI LYNN MANKOFF-ELIAS

Correspondent Address: 3000 N.W. 107TH AVENUE
LEGAL DEPT.
MIAMI, FL 33172

Domestic Representative - Not Found

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,870,641

Registered Aug. 3, 2004

**TRADEMARK
PRINCIPAL REGISTER**



PEI LICENSING, INC. (DELAWARE CORPORATION)
3000 N.W. 107TH AVENUE
MIAMI, FL 33172

FOR: CLOTHING, NAMELY, KNIT AND WOVEN SHIRTS, T-SHIRTS, SWEATSHIRTS, OUTERWEAR IN THE NATURE OF WIND RESISTANT JACKETS, JACKETS, COATS, VESTS, PANTS, SHORTS, SWEATERS, HEADWEAR, NAMELY, HATS, CAPS, VISORS AND HEADBANDS, FOOTWEAR, NAMELY, SHOES, SNEAKERS AND SANDALS, TIES, WRISTBANDS, BELTS FOR CLOTHING, SWIMSUITS, HOSIERY, UNDERWEAR AND SOCKS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-0-2003; IN COMMERCE 2-0-2003.

OWNER OF U.S. REG. NOS. 673,912, 1,849,971, AND OTHERS.

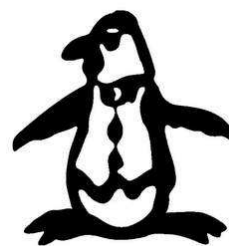
THE MARK CONSISTS OF A DRESSED PENGUIN WITH AN ORANGE BEAK AND ORANGE FEET.

SN 78-975,441, FILED 7-18-2002.

ALICE BENMAMAN, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2015-09-22 18:48:53 EDT

Mark:



US Serial Number: 78975441

Application Filing Date: Jul. 18, 2002

US Registration Number: 2870641

Registration Date: Aug. 03, 2004

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: May 16, 2014

Publication Date: Aug. 26, 2003

Notice of Allowance Date: Nov. 18, 2003

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a dressed Penguin with an orange beak and orange feet.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.15.15 - Puffins; Penguins

03.15.26 - Costumed birds and bats and those with human attributes

09.03.01 - Jackets; Parkas; Rain coats; Shawls; Vests, clothing; Fur coats; Coats; Blazers; Ponchos

Related Properties Information

Claimed Ownership of US Registrations: 0673912, 0796003, 0952079, 0961376, 1034409, 1116035, 1569866, 1849971, 78145342 and others

Child Of: 78145342

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Clothing, namely, knit and woven shirts, t-shirts, sweatshirts, outerwear in the nature of wind resistant jackets, jackets, coats, vests, pants, shorts, sweaters, headwear, namely, hats, caps, visors and headbands, footwear, namely, shoes, sneakers and sandals, ties, wristbands, belts for clothing, swimsuits, hosiery, underwear and socks

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2003

Use in Commerce: Feb. 2003

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.

Owner Address: 3000 N.W. 107th Avenue
Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

Attorney Primary Email Address: legal@pery.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: 305-406-0513

Correspondent e-mail: legal@pery.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
May 16, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 16, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76985
May 16, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76985
May 05, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	76985
May 16, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
May 05, 2014	TEAS SECTION 8 & 9 RECEIVED	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 06, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
Oct. 06, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70619
Oct. 05, 2010	TEAS SECTION 8 & 15 RECEIVED	
Aug. 03, 2004	REGISTERED-PRINCIPAL REGISTER	
May 18, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 12, 2004	ASSIGNED TO EXAMINER	73370
May 07, 2004	STATEMENT OF USE PROCESSING COMPLETE	
Apr. 26, 2004	USE AMENDMENT FILED	
May 07, 2004	DIVISIONAL PROCESSING COMPLETE	
Apr. 26, 2004	DIVISIONAL REQUEST RECEIVED	
Apr. 26, 2004	PAPER RECEIVED	
Nov. 18, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 26, 2003	PUBLISHED FOR OPPOSITION	
Aug. 06, 2003	NOTICE OF PUBLICATION	
Jun. 20, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 10, 2003	EXAMINERS AMENDMENT E-MAILED	

May 22, 2003 CORRESPONDENCE RECEIVED IN LAW OFFICE
Dec. 09, 2002 NON-FINAL ACTION E-MAILED
Nov. 19, 2002 ASSIGNED TO EXAMINER

73370

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 03, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: May 16, 2014

Int. Cl.: 25

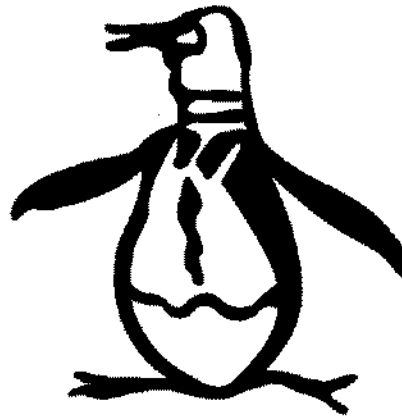
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,880,454

Registered Aug. 31, 2004

**TRADEMARK
PRINCIPAL REGISTER**



PEI LICENSING, INC. (DELAWARE CORPORATION)
3000 N.W. 107TH AVENUE
MIAMI, FL 33172

FOR: CLOTHING, NAMELY, KNIT AND WOVEN SHIRTS, T-SHIRTS, SWEATSHIRTS, OUTERWEAR IN THE NATURE OF WIND-RESISTANT JACKETS, JACKETS, COATS, VESTS, PANTS, SHORTS, SWEATERS, HEADWEAR, NAMELY, HATS, CAPS, VISORS AND HEADBANDS, FOOTWEAR, NAMELY

SHOES, SNEAKERS AND SANDALS, TIES, WRISTBANDS, BELTS FOR CLOTHING, SWIMSUITS, HOSIERY, UNDERWEAR AND SOCKS, IN CLASS 25 (U.S. CLS. 22 AND 39).

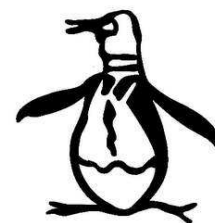
FIRST USE 2-0-2003; IN COMMERCE 2-0-2003.

SN 78-975,440, FILED 7-18-2002.

SUE LAWRENCE, EXAMINING ATTORNEY

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Mark:



US Serial Number: 78975440

Application Filing Date: Jul. 18, 2002

US Registration Number: 2880454

Registration Date: Aug. 31, 2004

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: May 15, 2014

Publication Date: Sep. 02, 2003

Notice of Allowance Date: Nov. 25, 2003

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.15.15 - Penguins; Puffins
03.19.26 - Costumed sea mammals; Costumed fish and other sea creatures with human attributes; Costumed seals

Related Properties Information

Claimed Ownership of US Registrations: 78145314

Child Of: 78145314

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: CLOTHING, NAMELY, KNIT AND WOVEN SHIRTS, T-SHIRTS, SWEATSHIRTS, OUTERWEAR IN THE NATURE OF WIND-RESISTANT JACKETS, JACKETS, COATS, VESTS, PANTS, SHORTS, SWEATERS, HEADWEAR, NAMELY, HATS, CAPS, VISORS AND HEADBANDS, FOOTWEAR, NAMELY SHOES, SNEAKERS AND SANDALS, TIES, WRISTBANDS, BELTS FOR CLOTHING, SWIMSUITS, HOSIERY, UNDERWEAR AND SOCKS

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2003

Use in Commerce: Feb. 2003

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.
Owner Address: 3000 N.W. 107th Avenue
Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

**Attorney Primary Email
Address:** legal@pery.com

**Attorney Email
Authorized:** Yes

Correspondent

**Correspondent
Name/Address:** Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: 305-406-0513

Correspondent e-mail: legal@pery.com

**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
May 15, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 15, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
May 15, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
May 02, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	64591
May 15, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
May 02, 2014	TEAS SECTION 8 & 9 RECEIVED	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 12, 2010	REGISTERED - SEC. 15 ACKNOWLEDGED	76533
Oct. 08, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Oct. 05, 2010	TEAS SECTION 15 RECEIVED	
Aug. 13, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED	68973
Aug. 10, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Aug. 09, 2010	TEAS SECTION 8 RECEIVED	
Aug. 31, 2004	REGISTERED-PRINCIPAL REGISTER	
Jun. 02, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 11, 2004	ASSIGNED TO EXAMINER	72414
May 06, 2004	STATEMENT OF USE PROCESSING COMPLETE	
Apr. 26, 2004	USE AMENDMENT FILED	
May 05, 2004	DIVISIONAL PROCESSING COMPLETE	
Apr. 26, 2004	DIVISIONAL REQUEST RECEIVED	
Apr. 26, 2004	PAPER RECEIVED	
Nov. 25, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 02, 2003	PUBLISHED FOR OPPOSITION	
Aug. 13, 2003	NOTICE OF PUBLICATION	
Jun. 18, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	

Jun. 18, 2003	EXAMINERS AMENDMENT E-MAILED
May 20, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE
Nov. 29, 2002	NON-FINAL ACTION MAILED
Nov. 19, 2002	ASSIGNED TO EXAMINER

72414

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 31, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: May 15, 2014

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,323,720

Registered Oct. 30, 2007

TRADEMARK
PRINCIPAL REGISTER



PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT
3000 NW 107TH AVENUE
MIAMI, FL 33172

FIRST USE 2-0-2003; IN COMMERCE 2-0-2003.

OWNER OF U.S. REG. NOS. 2,011,287, 2,749,389
AND OTHERS.

FOR: CLOTHING, NAMELY, KNIT AND WOVEN SHIRTS, T-SHIRTS, SWEATSHIRTS, OUTERWEAR IN THE NATURE OF WIND RESISTANT JACKETS, JACKETS, COATS, VESTS, PANTS, SHORTS, SWEATERS, HEADWEAR, NAMELY, HATS, CAPS, VISORS AND HEADBANDS, FOOTWEAR, NAMELY, SHOES, SNEAKERS AND SANDALS, TIES, WRISTBANDS, BELTS FOR CLOTHING, SWIMSUITS, HOSIERY, UNDERWEAR AND SOCKS, IN CLASS 25 (U.S. CLS. 22 AND 39).

THE MARK CONSISTS OF A PICTURE OF A PENGUIN AND THE WORDS AN ORIGINAL PENGUIN BY MUNSINGWEAR.

SER. NO. 77-139,980, FILED 3-26-2007.

DAVID H. STINE, EXAMINING ATTORNEY

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Mark: AN ORIGINAL PENGUIN BY MUNSINGWEAR



US Serial Number: 77139980
US Registration Number: 3323720
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Nov. 29, 2013
Publication Date: Aug. 14, 2007

Application Filing Date: Mar. 26, 2007
Registration Date: Oct. 30, 2007

Mark Information

Mark Literal Elements: AN ORIGINAL PENGUIN BY MUNSINGWEAR
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a picture of a penguin and the words An Original Penguin by Munsingwear.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.26 - Costumed birds and bats and those with human attributes
09.03.01 - Jackets; Parkas; Ponchos; Shawls; Vests, clothing; Fur coats; Coats; Blazers; Rain coats
26.09.21 - Squares that are completely or partially shaded
26.09.25 - Squares with curved sides

Related Properties Information

Claimed Ownership of US Registrations: 2011287, 2049331, 2749389 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Clothing, namely, knit and woven shirts, t-shirts, sweatshirts, outerwear in the nature of wind resistant jackets, jackets, coats, vests, pants, shorts, sweaters, headwear, namely, hats, caps, visors and headbands, footwear, namely, shoes, sneakers and sandals, ties, wristbands, belts for clothing, swimsuits, hosiery, underwear and socks

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2003

Use in Commerce: Feb. 2003

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.
Owner Address: Legal Dept
3000 NW 107th Avenue

Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

Attorney Primary Email Address: legal@pery.com legal@pery.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: 305-406-0513

Correspondent e-mail: legal@pery.com legal@pery.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 29, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 29, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Nov. 15, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	70131
Nov. 29, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Nov. 21, 2013	NOTICE OF SUIT	
Nov. 15, 2013	TEAS SECTION 8 & 15 RECEIVED	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 30, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 14, 2007	PUBLISHED FOR OPPOSITION	
Jul. 25, 2007	NOTICE OF PUBLICATION	
Jul. 10, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
Jul. 10, 2007	ASSIGNED TO LIE	68658
Jun. 06, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 05, 2007	ASSIGNED TO EXAMINER	62520
Mar. 30, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 29, 2007	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 114

Date in Location: Nov. 29, 2013

United States of America

United States Patent and Trademark Office

Original Penguin by Munsingwear

Reg. No. 3,681,969 PEI LICENSING, INC. (DELAWARE CORPORATION)
Registered Sep. 15, 2009 LEGAL DEPT.

3000 N.W. 107TH AVENUE
MIAMI, FL 33172

Int. Cl.: 18

**TRADEMARK
PRINCIPAL REGISTER**

FOR: LUGGAGE, LUGGAGE STRAPS, TRAVEL BAGS, GARMENT BAGS AND SHOE BAGS FOR TRAVEL, BRIEFCASES, BRIEFCASE-TYPE PORTFOLIOS, ATTACHE CASES, MESSENGER BAGS, HANDBAGS, POCKETBOOKS, LEATHER AND FABRIC EVENING BAGS, CLUTCHES, TOTE BAGS, ATHLETIC BAGS, DUFFEL BAGS, BEACH BAGS, DIAPER BAGS, COSMETIC BAGS SOLD EMPTY, TOILETRY CASES SOLD EMPTY, SCHOOL BAGS, KNAPSACKS, WAIST PACKS, UMBRELLAS, WALLETS, BILLFOLDS, BUSINESS CARD CASES, CREDIT CARD CASES, KEY CASES, CHANGE PURSES, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 11-15-2007, IN COMMERCE 11-15-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 510,271, 3,323,720 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORIGINAL", APART FROM THE MARK AS SHOWN.

SER. NO. 77-373,863, FILED 1-17-2008.

NICHOLAS COLEMAN, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

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Mark: ORIGINAL PENGUIN BY MUNSINGWEAR

Original Penguin by
Munsingwear

US Serial Number: 77373863

Application Filing Date: Jan. 17, 2008

US Registration Number: 3681969

Registration Date: Sep. 15, 2009

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 15, 2009

Publication Date: Jun. 30, 2009

Mark Information

Mark Literal Elements: ORIGINAL PENGUIN BY MUNSINGWEAR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "ORIGINAL"

Related Properties Information

Claimed Ownership of US Registrations: 0510271, 2011287, 2749389, 3323720 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: LUGGAGE, LUGGAGE STRAPS, TRAVEL BAGS, GARMENT BAGS AND SHOE BAGS FOR TRAVEL, BRIEFCASES, BRIEFCASE-TYPE PORTFOLIOS, ATTACHE CASES, MESSENGER BAGS, HANDBAGS, POCKETBOOKS, LEATHER AND FABRIC EVENING BAGS, CLUTCHES, TOTE BAGS, ATHLETIC BAGS, DUFFEL BAGS, BEACH BAGS, DIAPER BAGS, COSMETIC BAGS SOLD EMPTY, TOILETRY CASES SOLD EMPTY, SCHOOL BAGS, KNAPSACKS, WAIST PACKS, UMBRELLAS, WALLETs, BILLFOLDS, BUSINESS CARD CASES, CREDIT CARD CASES, KEY CASES, CHANGE PURSES

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 15, 2007

Use in Commerce: Nov. 15, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.

Owner Address: Legal Dept.
3000 N.W. 107th Avenue
Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

Attorney Primary Email Address: legal@pery.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: 305-406-0513

Correspondent e-mail: legal@pery.com allpeiparalegals@pery.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 27, 2015	TEAS SECTION 8 & 15 RECEIVED	
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 15, 2009	REGISTERED-PRINCIPAL REGISTER	
Jun. 30, 2009	PUBLISHED FOR OPPOSITION	
Jun. 10, 2009	NOTICE OF PUBLICATION	
May 26, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
May 22, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 18, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	78145
Nov. 18, 2008	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Nov. 18, 2008	LETTER OF SUSPENSION E-MAILED	6332
Nov. 18, 2008	SUSPENSION LETTER WRITTEN	85330
Nov. 18, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	78145
Nov. 18, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Nov. 18, 2008	ASSIGNED TO LIE	78145
Nov. 05, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 05, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION WRITTEN	85330
Apr. 23, 2008	ASSIGNED TO EXAMINER	85330
Jan. 23, 2008	NOTICE OF PSEUDO MARK MAILED	
Jan. 22, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 15, 2009

United States of America

United States Patent and Trademark Office

An Original Penguin

Reg. No. 3,717,328 PEI LICENSING, INC. (DELAWARE CORPORATION)
Registered Dec. 1, 2009 3000 N.W. 107TH AVENUE, LEGAL DEPT
MIAMI, FL 33172

Int. Cl.: 14 FOR: WATCHES, CLOCKS, PARTS OF WATCHES AND CLOCKS, AND THEIR CASES, IN
CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

TRADEMARK FIRST USE 9-0-2005; IN COMMERCE 9-0-2005.
PRINCIPAL REGISTER

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 332,372, 3,323,720 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORIGINAL", APART FROM THE MARK AS SHOWN.

SER. NO. 77-374,580, FILED 1-17-2008.

NICHOLAS COLEMAN, EXAMINING ATTORNEY



David J. Kyjars

Director of the United States Patent and Trademark Office

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Mark: AN ORIGINAL PENGUIN

An Original Penguin

US Serial Number: 77374580

Application Filing Date: Jan. 17, 2008

US Registration Number: 3717328

Registration Date: Dec. 01, 2009

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Dec. 01, 2009

Publication Date: Sep. 15, 2009

Mark Information

Mark Literal Elements: AN ORIGINAL PENGUIN

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "ORIGINAL"

Related Properties Information

Claimed Ownership of US Registrations: 0332372, 0673912, 2880454, 3323720 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: WATCHES, CLOCKS, PARTS OF WATCHES AND CLOCKS, AND THEIR CASES

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2005

Use in Commerce: Sep. 2005

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.

Owner Address: 3000 N.W. 107th Avenue, Legal Dept
Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

Attorney Primary Email tricia.thompkins@pery.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: (786) 221-8735

Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 01, 2009	REGISTERED-PRINCIPAL REGISTER	
Sep. 15, 2009	PUBLISHED FOR OPPOSITION	
Aug. 26, 2009	NOTICE OF PUBLICATION	
Aug. 12, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	69350
Aug. 10, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 10, 2009	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Aug. 07, 2009	ASSIGNED TO LIE	69350
Aug. 07, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Aug. 07, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Aug. 06, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 07, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 06, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 05, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 05, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 05, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 05, 2009	NON-FINAL ACTION E-MAILED	6325
Feb. 05, 2009	NON-FINAL ACTION WRITTEN	85330
Feb. 04, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Feb. 04, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Feb. 02, 2009	ASSIGNED TO LIE	67215
Feb. 02, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 02, 2009	PETITION TO REVIVE-GRANTED	88889
Feb. 02, 2009	TEAS PETITION TO REVIVE RECEIVED	
Dec. 01, 2008	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Dec. 01, 2008	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
May 05, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION WRITTEN	85330
Apr. 23, 2008	ASSIGNED TO EXAMINER	85330
Jan. 23, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

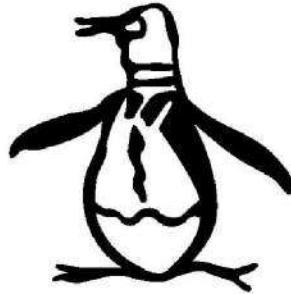
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 01, 2009

United States of America

United States Patent and Trademark Office



Reg. No. 3,717,329 PEI LICENSING, INC. (DELAWARE CORPORATION)
Registered Dec. 1, 2009 3000 N.W. 107TH AVENUE, LEGAL DEPT.
MIAMI, FL 33172

Int. Cls.: 14 and 18 FOR: WATCHES, CLOCKS, PARTS OF WATCHES AND CLOCKS, AND THEIR CASES, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

TRADEMARK FIRST USE 3-0-2005; IN COMMERCE 3-0-2005.
PRINCIPAL REGISTER

FOR: LUGGAGE, LUGGAGE STRAPS, TRAVEL BAGS, GARMENT BAGS AND SHOE BAGS FOR TRAVEL, BRIEFCASE, BRIEFCASE-TYPE PORTFOLIOS, ATTACHE CASES, MESSENGER BAGS, HANDBAGS, POCKETBOOKS, LEATHER AND FABRIC EVENING BAGS, CLUTCHES, TOTE BAGS, ATHLETIC BAGS, DUFFEL BAGS, BEACH BAGS, DIAPER BAGS, COSMETIC BAGS SOLD EMPTY, TOILETRY CASES SOLD EMPTY, SCHOOL BAGS, KNAPSACKS, WAIST PACKS, UMBRELLAS, WALLETS, BILLFOLDS, BUSINESS CARD CASES, CREDIT CARD CASES, KEY CASES, CHANGE PURSES, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 11-15-2007; IN COMMERCE 11-15-2007.

OWNER OF U.S. REG. NOS. 673,912, 3,323,720 AND OTHERS.

THE MARK CONSISTS OF A DESIGN OF A PENGUIN.

SER. NO. 77-374,640, FILED 1-17-2008.

NICHOLAS COLEMAN, EXAMINING ATTORNEY

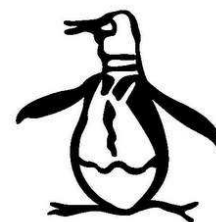


David J. Kyjars

Director of the United States Patent and Trademark Office

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Mark:



US Serial Number: 77374640

Application Filing Date: Jan. 17, 2008

US Registration Number: 3717329

Registration Date: Dec. 01, 2009

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Dec. 01, 2009

Publication Date: Sep. 15, 2009

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a design of a penguin.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.24 - Stylized birds and bats

Related Properties Information

Claimed Ownership of US Registrations: 0673912, 2880454, 3323720 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: WATCHES, CLOCKS, PARTS OF WATCHES AND CLOCKS, AND THEIR CASES

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2005

Use in Commerce: Mar. 2005

For: LUGGAGE, LUGGAGE STRAPS, TRAVEL BAGS, GARMENT BAGS AND SHOE BAGS FOR TRAVEL, BRIEFCASE, BRIEFCASE-TYPE PORTFOLIOS, ATTACHE CASES, MESSENGER BAGS, HANDBAGS, POCKETBOOKS, LEATHER AND FABRIC EVENING BAGS, CLUTCHES, TOTE BAGS, ATHLETIC BAGS, DUFFEL BAGS, BEACH BAGS, DIAPER BAGS, COSMETIC BAGS SOLD EMPTY, TOILETRY CASES SOLD EMPTY, SCHOOL BAGS, KNAPSACKS, WAIST PACKS, UMBRELLAS, WALLETS, BILLFOLDS, BUSINESS CARD CASES, CREDIT CARD CASES, KEY CASES, CHANGE PURSES

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 15, 2007

Use in Commerce: Nov. 15, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.
Owner Address: 3000 N.W. 107th Avenue, Legal Dept.
 Miami, FLORIDA 33172
 UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins
Attorney Primary Email Address: tricia.thompkins@pery.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
 PEI Licensing, Inc.
 3000 NW 107th Avenue
 Legal Dept.
 Miami, FLORIDA 33172
 UNITED STATES
Phone: (305) 873-1735 **Fax:** (786) 221-8735
Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 01, 2009	REGISTERED-PRINCIPAL REGISTER	
Sep. 15, 2009	PUBLISHED FOR OPPOSITION	
Aug. 26, 2009	NOTICE OF PUBLICATION	
Aug. 12, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	69350
Aug. 10, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 10, 2009	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Aug. 07, 2009	ASSIGNED TO LIE	69350
Aug. 07, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Aug. 07, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Aug. 06, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 07, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 06, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 05, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 05, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 05, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 05, 2009	NON-FINAL ACTION E-MAILED	6325
Feb. 05, 2009	NON-FINAL ACTION WRITTEN	85330
Feb. 04, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Feb. 04, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215

Feb. 02, 2009	ASSIGNED TO LIE	67215
Feb. 02, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 02, 2009	PETITION TO REVIVE-GRANTED	88889
Feb. 02, 2009	TEAS PETITION TO REVIVE RECEIVED	
Dec. 01, 2008	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Dec. 01, 2008	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
May 05, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION WRITTEN	85330
Apr. 23, 2008	ASSIGNED TO EXAMINER	85330
Jan. 24, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 23, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

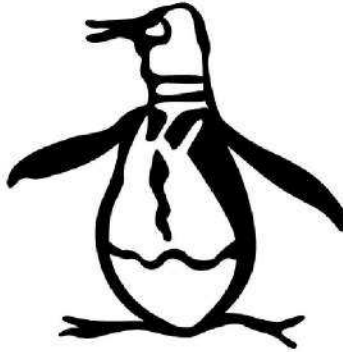
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 01, 2009

United States of America

United States Patent and Trademark Office



Reg. No. 3,811,401

Registered June 29, 2010

Int. Cls.: 25 and 28

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
3000 N.W. 107TH AVENUE, LEGAL DEPT.
MIAMI, FL 33172

FOR: SNOWBOARD BOOTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 7-31-2009; IN COMMERCE 7-31-2009.

FOR: SNOWBOARDS AND SNOWBOARD BINDINGS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 7-31-2009; IN COMMERCE 7-31-2009.

OWNER OF U.S. REG. NOS. 673,912, 2,880,454, AND OTHERS.

THE MARK CONSISTS OF A PENGUIN.

SN 77-430,538, FILED 3-25-2008.

NICHOLAS COLEMAN, EXAMINING ATTORNEY

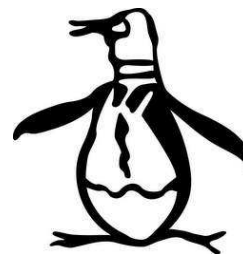


David J. Kyffers

Director of the United States Patent and Trademark Office

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Mark:



US Serial Number: 77430538

Application Filing Date: Mar. 25, 2008

US Registration Number: 3811401

Registration Date: Jun. 29, 2010

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 29, 2010

Publication Date: Sep. 15, 2009

Notice of Allowance Date: Dec. 08, 2009

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a penguin.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.24 - Stylized birds and bats

Related Properties Information

Claimed Ownership of US Registrations: 0673912, 2870641, 2880454 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Snowboard boots

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 31, 2009

Use in Commerce: Jul. 31, 2009

For: Snowboards and snowboard bindings

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 31, 2009

Use in Commerce: Jul. 31, 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.

Owner Address: 3000 N.W. 107th Avenue, Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

Attorney Primary Email tricia.thompkins@pery.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: (786) 221-8735

Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 29, 2015	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 29, 2010	REGISTERED-PRINCIPAL REGISTER	
May 26, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 25, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
May 25, 2010	ASSIGNED TO LIE	77312
May 15, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 14, 2010	STATEMENT OF USE PROCESSING COMPLETE	76873
Apr. 29, 2010	USE AMENDMENT FILED	76873
May 13, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Apr. 29, 2010	TEAS STATEMENT OF USE RECEIVED	
Dec. 08, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 15, 2009	PUBLISHED FOR OPPOSITION	
Aug. 26, 2009	NOTICE OF PUBLICATION	
Aug. 12, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	69350
Aug. 07, 2009	ASSIGNED TO LIE	69350
Aug. 07, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 05, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 05, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 05, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 05, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 05, 2009	NON-FINAL ACTION E-MAILED	6325

Feb. 05, 2009	NON-FINAL ACTION WRITTEN	85330
Feb. 04, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Feb. 04, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Feb. 02, 2009	ASSIGNED TO LIE	67215
Feb. 02, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 02, 2009	PETITION TO REVIVE-GRANTED	88889
Feb. 02, 2009	TEAS PETITION TO REVIVE RECEIVED	
Dec. 01, 2008	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Dec. 01, 2008	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
May 05, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION WRITTEN	85330
Apr. 23, 2008	ASSIGNED TO EXAMINER	85330
Mar. 29, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 28, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 25, 2010

United States of America

United States Patent and Trademark Office

An Original Penguin by Munsingwear

Reg. No. 3,894,274

Registered Dec. 21, 2010

Int. Cls.: 25 and 28

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: SNOWBOARD BOOTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 7-31-2009; IN COMMERCE 7-31-2009.

FOR: SNOWBOARDS AND SNOWBOARD BINDINGS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 7-31-2009; IN COMMERCE 7-31-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,011,287, 2,749,389, AND 3,323,720.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORIGINAL", APART FROM THE MARK AS SHOWN.

SN 77-430,496, FILED 3-25-2008.

NICHOLAS COLEMAN, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

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Mark: AN ORIGINAL PENGUIN BY MUNSINGWEAR

An Original Penguin by
Munsingwear

US Serial Number: 77430496

Application Filing Date: Mar. 25, 2008

US Registration Number: 3894274

Registration Date: Dec. 21, 2010

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Dec. 21, 2010

Publication Date: Jun. 30, 2009

Notice of Allowance Date: Sep. 22, 2009

Mark Information

Mark Literal Elements: AN ORIGINAL PENGUIN BY MUNSINGWEAR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "ORIGINAL"

Related Properties Information

Claimed Ownership of US Registrations: 2011287, 2749389, 3323720

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: snowboard boots

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 31, 2009

Use in Commerce: Jul. 31, 2009

For: snowboards and snowboard bindings

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 31, 2009

Use in Commerce: Jul. 31, 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.

Owner Address: Legal Dept
3000 NW 107th Avenue
Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE**Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Tricia McDermott Thompkins**Attorney Primary Email Address:** tricia.thompkins@pery.com**Attorney Email Authorized:** Yes**Correspondent****Correspondent Name/Address:** Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES**Phone:** (305) 873-1735**Fax:** (786) 221-8735**Correspondent e-mail:** tricia.thompkins@pery.com legal@pery.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 21, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 19, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 18, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Nov. 16, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 16, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	76568
Nov. 16, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	76568
Nov. 16, 2010	ASSIGNED TO LIE	76568
Oct. 28, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 28, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Apr. 28, 2010	NON-FINAL ACTION E-MAILED	
Apr. 28, 2010	SU - NON-FINAL ACTION - WRITTEN	85330
Apr. 12, 2010	STATEMENT OF USE PROCESSING COMPLETE	66154
Mar. 22, 2010	USE AMENDMENT FILED	66154
Apr. 12, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Mar. 22, 2010	TEAS STATEMENT OF USE RECEIVED	
Sep. 22, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 30, 2009	PUBLISHED FOR OPPOSITION	
Jun. 10, 2009	NOTICE OF PUBLICATION	
May 26, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
May 22, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 20, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	67215
Nov. 19, 2008	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Nov. 19, 2008	LETTER OF SUSPENSION E-MAILED	6332
Nov. 19, 2008	SUSPENSION LETTER WRITTEN	85330
Nov. 18, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Nov. 18, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Nov. 18, 2008	ASSIGNED TO LIE	67215

Nov. 05, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 05, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION E-MAILED	6325
May 05, 2008	NON-FINAL ACTION WRITTEN	85330
Apr. 23, 2008	ASSIGNED TO EXAMINER	85330
Mar. 29, 2008	NOTICE OF PSEUDO MARK MAILED	
Mar. 28, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 18, 2010

United States of America

United States Patent and Trademark Office

an original
Penguin
BY
Munsingwear

Reg. No. 3,961,901

Registered May 17, 2011

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: EYEWEAR AND EYEWEAR ACCESSORIES, NAMELY, FRAMES FOR PRESCRIPTION AND NON-PRESCRIPTION EYEGLASSES AND SUNGLASSES, PRESCRIPTION AND NON-PRESCRIPTION SUNGLASSES, EYEGLASS AND SUNGLASS CHAINS, EYEGLASS AND SUNGLASS LENSES, AND CASES FOR ALL THE AFOREMENTIONED GOODS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-1-2005; IN COMMERCE 5-1-2005.

OWNER OF U.S. REG. NOS. 3,323,720, 3,681,969, AND 3,717,328.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AN ORIGINAL", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE WORDING "AN ORIGINAL PENGUIN BY MUNSINGWEAR" IN STYLIZED FORM WITH THE LETTER "M" CONTAINED IN A SQUARE WHICH HAS FOUR CURVED SIDES.

SER. NO. 85-162,396, FILED 10-27-2010.

BILL DAWE, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

Generated on: This page was generated by TSDR on 2015-09-22 18:53:09 EDT

Mark: AN ORIGINAL PENGUIN BY MUNSINGWEAR



US Serial Number: 85162396

Application Filing Date: Oct. 27, 2010

US Registration Number: 3961901

Registration Date: May 17, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 17, 2011

Publication Date: Mar. 01, 2011

Mark Information

Mark Literal Elements: AN ORIGINAL PENGUIN BY MUNSINGWEAR

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the wording "AN ORIGINAL PENGUIN BY MUNSINGWEAR" in stylized form with the letter "M" contained in a square which has four curved sides.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "AN ORIGINAL"

Design Search Code(s): 26.09.21 - Squares that are completely or partially shaded
26.09.25 - Squares with curved sides
26.09.28 - Miscellaneous designs with overall square shape; Square shapes (miscellaneous overall shape)

Related Properties Information

Claimed Ownership of US Registrations: 3323720, 3681969, 3717328

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2005

Use in Commerce: May 01, 2005

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.

Owner Address: LEGAL DEPT.

3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

Attorney Primary Email Address: tricia.thompkins@pery.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: (786) 221-8735

Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 17, 2011	REGISTERED-PRINCIPAL REGISTER	
Mar. 01, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 01, 2011	PUBLISHED FOR OPPOSITION	
Jan. 25, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Jan. 20, 2011	ASSIGNED TO LIE	68123
Jan. 20, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 20, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 20, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 20, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 20, 2011	EXAMINERS AMENDMENT -WRITTEN	76838
Jan. 20, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 20, 2011	NON-FINAL ACTION E-MAILED	6325
Jan. 20, 2011	NON-FINAL ACTION WRITTEN	76838
Jan. 13, 2011	ASSIGNED TO EXAMINER	76838
Nov. 03, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 02, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 30, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 17, 2011

United States of America

United States Patent and Trademark Office

An Original Penguin by Munsingwear

Reg. No. 3,961,902

Registered May 17, 2011

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: EYEWEAR AND EYEWEAR ACCESSORIES, NAMELY, FRAMES FOR PRESCRIPTION AND NON-PRESCRIPTION EYEGLASSES AND SUNGLASSES, PRESCRIPTION AND NON-PRESCRIPTION SUNGLASSES, EYEGLASS AND SUNGLASS CHAINS, EYEGLASS AND SUNGLASS LENSES, AND CASES FOR ALL THE AFOREMENTIONED GOODS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-1-2005; IN COMMERCE 5-1-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,323,720, 3,681,969, AND 3,717,328.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AN ORIGINAL", APART FROM THE MARK AS SHOWN.

SER. NO. 85-162,707, FILED 10-27-2010.

BILL DAWE, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

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Mark: AN ORIGINAL PENGUIN BY MUNSINGWEAR

An Original Penguin by
Munsingwear

US Serial Number: 85162707

Application Filing Date: Oct. 27, 2010

US Registration Number: 3961902

Registration Date: May 17, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 17, 2011

Publication Date: Mar. 01, 2011

Mark Information

Mark Literal Elements: AN ORIGINAL PENGUIN BY MUNSINGWEAR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "AN ORIGINAL"

Related Properties Information

Claimed Ownership of US Registrations: 3323720, 3681969, 3717328

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2005

Use in Commerce: May 01, 2005

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.

Owner Address: LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Tricia McDermott Thompkins**Attorney Primary Email Address:** tricia.thompkins@pery.com**Attorney Email Authorized:** Yes**Correspondent****Correspondent Name/Address:** Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES**Phone:** (305) 873-1735**Fax:** (786) 221-8735**Correspondent e-mail:** tricia.thompkins@pery.com legal@pery.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
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Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
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Jan. 20, 2011	EXAMINERS AMENDMENT -WRITTEN	76838
Jan. 20, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
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Jan. 20, 2011	NON-FINAL ACTION WRITTEN	76838
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Nov. 02, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 30, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** May 17, 2011

United States of America

United States Patent and Trademark Office

Original Penguin by Munsingwear

Reg. No. 4,032,486

Registered Sep. 27, 2011

Int. Cl.: 3

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: FRAGRANCES, NAMELY, PERFUMES, EAU DE PARFUM, COLOGNE, EAU DE
TOILET, BODY LOTION, BATH GEL, HAND SOAP, PERFUMED SOAP AND COSMETICS
, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 4-1-2011; IN COMMERCE 4-1-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 510,271, 3,323,720, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORIGINAL", APART FROM
THE MARK AS SHOWN.

SN 85-069,700, FILED 6-23-2010.

ALLISON SCHRODY, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark: ORIGINAL PENGUIN BY MUNSINGWEAR

Original Penguin by
Munsingwear

US Serial Number: 85069700

Application Filing Date: Jun. 23, 2010

US Registration Number: 4032486

Registration Date: Sep. 27, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 27, 2011

Publication Date: Nov. 23, 2010

Notice of Allowance Date: Jan. 18, 2011

Mark Information

Mark Literal Elements: ORIGINAL PENGUIN BY MUNSINGWEAR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "ORIGINAL"

Related Properties Information

Claimed Ownership of US Registrations: 0510271, 2011287, 3323720 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: fragrances, namely, perfumes, eau de parfum, cologne, eau de toilet, body lotion, bath gel, hand soap, perfumed soap and cosmetics

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 01, 2011

Use in Commerce: Apr. 01, 2011

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.

Owner Address: LEGAL DEPT
3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompson

Attorney Primary Email Address: tricia.thompkins@pery.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tricia McDermott Thompson
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: (786) 221-8735

Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 27, 2011	REGISTERED-PRINCIPAL REGISTER	
Aug. 25, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 24, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Aug. 17, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 04, 2011	STATEMENT OF USE PROCESSING COMPLETE	71034
Jul. 18, 2011	USE AMENDMENT FILED	71034
Aug. 04, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Jul. 18, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 18, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 23, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 23, 2010	PUBLISHED FOR OPPOSITION	
Oct. 21, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Oct. 21, 2010	ASSIGNED TO LIE	68123
Oct. 06, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 06, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 06, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 06, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 06, 2010	EXAMINERS AMENDMENT -WRITTEN	80796
Oct. 05, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 05, 2010	NON-FINAL ACTION E-MAILED	6325
Oct. 05, 2010	NON-FINAL ACTION WRITTEN	80796
Sep. 28, 2010	ASSIGNED TO EXAMINER	80796
Jun. 29, 2010	NOTICE OF PSEUDO MARK MAILED	
Jun. 28, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 26, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

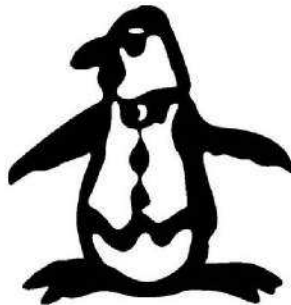
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 24, 2011

United States of America

United States Patent and Trademark Office



Reg. No. 4,058,748

Registered Nov. 22, 2011

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FL 33107

FOR: EYEWEAR AND EYEWEAR ACCESSORIES, NAMELY, FRAMES FOR PRESCRIPTION AND NON-PRESCRIPTION EYEGLASSES AND SUNGLASSES, PRESCRIPTION AND NON-PRESCRIPTION SUNGLASSES, EYEGLASS AND SUNGLASS CHAINS, EYEGLASS AND SUNGLASS LENSES, AND CASES FOR ALL THE AFOREMENTIONED GOODS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-1-2005; IN COMMERCE 5-1-2005.

OWNER OF U.S. REG. NOS. 673,912, 2,870,641, AND 3,323,720.

THE MARK CONSISTS OF A DRESSED PENGUIN.

SER. NO. 85-166,869, FILED 11-2-2010.

BILL DAWE, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

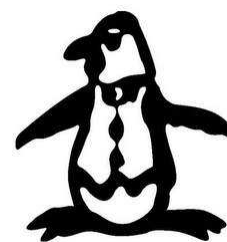
**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark:



US Serial Number: 85166869

Application Filing Date: Nov. 02, 2010

US Registration Number: 4058748

Registration Date: Nov. 22, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 22, 2011

Publication Date: Sep. 06, 2011

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a dressed Penguin.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.26 - Costumed birds and bats and those with human attributes

Related Properties Information

Claimed Ownership of US Registrations: 0673912, 2870641, 3323720

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2005

Use in Commerce: May 01, 2005

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.
Owner Address: LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FLORIDA 33107
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where DELAWARE
Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins
Attorney Primary Email Address: tricia.thompkins@pery.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES
Phone: (305) 873-1735
Fax: (786) 221-8735
Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

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Sep. 06, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 06, 2011	PUBLISHED FOR OPPOSITION	
Jul. 29, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Jul. 26, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 25, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	77976
Jul. 25, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	77976
Jul. 20, 2011	ASSIGNED TO LIE	77976
Jul. 12, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 13, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 13, 2011	NON-FINAL ACTION E-MAILED	6325
Jan. 13, 2011	NON-FINAL ACTION WRITTEN	76838
Jan. 13, 2011	ASSIGNED TO EXAMINER	76838
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Nov. 05, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 05, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

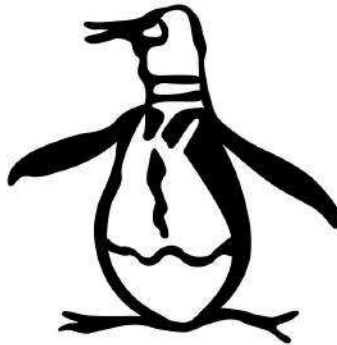
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 22, 2011

United States of America

United States Patent and Trademark Office



Reg. No. 4,058,749

Registered Nov. 22, 2011

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: EYEWEAR AND EYEWEAR ACCESSORIES, NAMELY, FRAMES FOR PRESCRIPTION AND NON-PRESCRIPTION EYEGLASSES AND SUNGLASSES, PRESCRIPTION AND NON-PRESCRIPTION SUNGLASSES, EYEGLASS AND SUNGLASS CHAINS, EYEGLASS AND SUNGLASS LENSES, AND CASES FOR ALL THE AFOREMENTIONED GOODS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-1-2005; IN COMMERCE 5-1-2005.

OWNER OF U.S. REG. NOS. 2,870,641, 2,880,454, AND 3,323,720.

THE MARK CONSISTS OF A DRESSED PENGUIN.

SER. NO. 85-166,877, FILED 11-2-2010.

BILL DAWE, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

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Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

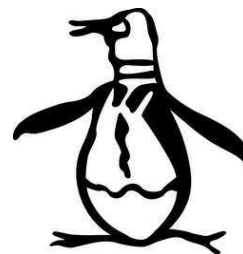
**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark:



US Serial Number: 85166877

Application Filing Date: Nov. 02, 2010

US Registration Number: 4058749

Registration Date: Nov. 22, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 22, 2011

Publication Date: Sep. 06, 2011

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a dressed Penguin.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.26 - Costumed birds and bats and those with human attributes

Related Properties Information

Claimed Ownership of US Registrations: 2870641, 2880454, 3323720

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2005

Use in Commerce: May 01, 2005

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.

Owner Address: LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

**Attorney Primary Email
Address:** tricia.thompkins@pery.com

**Attorney Email
Authorized:** Yes

Correspondent

**Correspondent
Name/Address:** Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES

Phone: (305) 873-1735

Fax: (786) 221-8735

Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com

**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 22, 2011	REGISTERED-PRINCIPAL REGISTER	
Sep. 06, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 06, 2011	PUBLISHED FOR OPPOSITION	
Aug. 04, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Aug. 01, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 29, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68552
Jul. 29, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68552
Jul. 21, 2011	ASSIGNED TO LIE	68552
Jul. 12, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 13, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 13, 2011	NON-FINAL ACTION E-MAILED	6325
Jan. 13, 2011	NON-FINAL ACTION WRITTEN	76838
Jan. 13, 2011	ASSIGNED TO EXAMINER	76838
Nov. 06, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 05, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 05, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

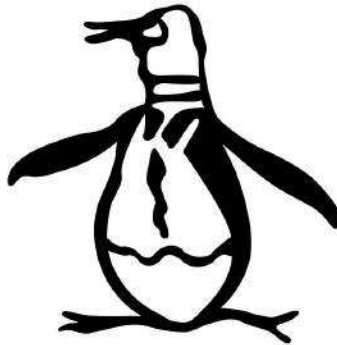
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 22, 2011

United States of America

United States Patent and Trademark Office



Reg. No. 4,132,700

Registered Apr. 24, 2012

Int. Cl.: 3

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
3000 NW 107TH AVENUE
LEGAL DEPT.
MIAMI, FL 33172

FOR: FRAGRANCES, NAMELY, PERFUMES, EAU DE PARFUM, COLOGNE, EAU DE TOILET, BODY LOTION, BATH LOTION, BATH GEL, HAND SOAP, PERFUMED SOAP AND COSMETICS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 4-1-2011; IN COMMERCE 4-1-2011.

OWNER OF U.S. REG. NOS. 2,880,454, 3,717,329, AND 3,811,401.

THE MARK CONSISTS OF A DRESSED PENGUIN.

SN 85-174,948, FILED 11-11-2010.

JORDAN BAKER, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

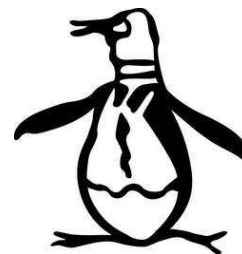
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Mark:



US Serial Number: 85174948

Application Filing Date: Nov. 11, 2010

US Registration Number: 4132700

Registration Date: Apr. 24, 2012

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 24, 2012

Publication Date: Mar. 29, 2011

Notice of Allowance Date: May 24, 2011

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a dressed penguin.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.26 - Costumed birds and bats and those with human attributes
09.03.06 - Shirts; Sweatshirts; Jerseys; Exercise clothes, sweatshirts; Camisoles; Tank tops
09.03.15 - Neckties; Bow ties; Ties, neckties or bow ties

Related Properties Information

Claimed Ownership of US Registrations: 2880454, 3717329, 3811401

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: FRAGRANCES, NAMELY, PERFUMES, EAU DE PARFUM, COLOGNE, EAU DE TOILET, BODY LOTION, BATH LOTION, BATH GEL, HAND SOAP, PERFUMED SOAP AND COSMETICS

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 01, 2011

Use in Commerce: Apr. 01, 2011

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.
Owner Address: 3000 NW 107TH AVENUE
LEGAL DEPT.
MIAMI, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

**Attorney Primary Email
Address:** tricia.thompkins@pery.com

**Attorney Email
Authorized:** No

Correspondent

**Correspondent
Name/Address:** TRICIA MCDERMOTT THOMPkins
PEI LICENSING, INC.
3000 NW 107TH AVE
MIAMI, FLORIDA 33172-2133
UNITED STATES

Phone: (305) 873-1735

Fax: (786) 221-8735

Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com

**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Apr. 24, 2012	REGISTERED-PRINCIPAL REGISTER	
Mar. 22, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 21, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Mar. 19, 2012	ASSIGNED TO LIE	74221
Mar. 01, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 29, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 28, 2012	STATEMENT OF USE PROCESSING COMPLETE	65362
Jan. 27, 2012	USE AMENDMENT FILED	65362
Feb. 28, 2012	EXTENSION 1 GRANTED	65362
Nov. 24, 2011	EXTENSION 1 FILED	65362
Feb. 28, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jan. 27, 2012	TEAS STATEMENT OF USE RECEIVED	
Jan. 27, 2012	EXTENSION RECEIVED WITH TEAS PETITION	
Jan. 27, 2012	PETITION TO REVIVE-GRANTED	88889
Jan. 27, 2012	TEAS PETITION TO REVIVE RECEIVED	
Dec. 27, 2011	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Dec. 26, 2011	ABANDONMENT - NO USE STATEMENT FILED	99999
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 24, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 29, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 29, 2011	PUBLISHED FOR OPPOSITION	
Feb. 22, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 22, 2011	ASSIGNED TO EXAMINER	81878
Nov. 17, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 16, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

Nov. 15, 2010

NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 21, 2012

United States of America

United States Patent and Trademark Office

Penguin

Reg. No. 4,263,091

Registered Dec. 25, 2012

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: EYEWEAR AND EYEWEAR ACCESSORIES, NAMELY, FRAMES FOR PRESCRIPTION AND NON-PRESCRIPTION EYEGLASSES AND SUNGLASSES, PRESCRIPTION AND NON-PRESCRIPTION SUNGLASSES, EYEGLASS AND SUNGLASS CHAINS, EYEGLASS AND SUNGLASS LENSES, AND CASES FOR ALL THE AFOREMENTIONED GOODS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-1-2005; IN COMMERCE 5-1-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,749,389.

SER. NO. 85-162,406, FILED 10-27-2010.

BILL DAWE, EXAMINING ATTORNEY



David J. Kyjars

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark: PENGUIN

Penguin

US Serial Number: 85162406

Application Filing Date: Oct. 27, 2010

US Registration Number: 4263091

Registration Date: Dec. 25, 2012

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Dec. 25, 2012

Publication Date: Oct. 09, 2012

Mark Information

Mark Literal Elements: PENGUIN

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US 2749389

Registrations:

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Eyewear and eyewear accessories, namely, frames for prescription and non-prescription eyeglasses and sunglasses, prescription and non-prescription sunglasses, eyeglass and sunglass chains, eyeglass and sunglass lenses, and cases for all the aforementioned goods

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2005

Use in Commerce: May 01, 2005

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.

Owner Address: LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where DELAWARE
Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins

Attorney Primary Email Address: tricia.thompkins@pery.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33179
UNITED STATES

Phone: (305) 873-1735

Fax: (786) 221-8735

Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Dec. 25, 2012	REGISTERED-PRINCIPAL REGISTER	
Oct. 09, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 09, 2012	PUBLISHED FOR OPPOSITION	
Sep. 19, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 31, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Aug. 30, 2012	ASSIGNED TO LIE	68123
Aug. 27, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 16, 2012	LIE CHECKED SUSP - TO ATTY FOR ACTION	77976
Feb. 10, 2012	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 04, 2011	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jul. 22, 2011	ASSIGNED TO LIE	77976
Jan. 13, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jan. 13, 2011	LETTER OF SUSPENSION E-MAILED	6332
Jan. 13, 2011	SUSPENSION LETTER WRITTEN	76838
Jan. 13, 2011	ASSIGNED TO EXAMINER	76838
Nov. 01, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 30, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

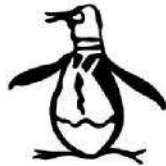
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 25, 2012

United States of America

United States Patent and Trademark Office



an original
Penguin
BY
Munsingwear

Reg. No. 4,308,261

Registered Mar. 26, 2013

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT.
3000 N.W. 107TH AVENUE
MIAMI, FL 33172

FOR: RETAIL STORE SERVICES FEATURING APPAREL, HATS, LEATHER GOODS, FASHION ACCESSORIES, JEWELRY, FOOTWEAR, COSMETICS, PERSONAL CARE PRODUCTS, EYEWEAR, LUGGAGE AND SPORTS EQUIPMENT, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-11-2010; IN COMMERCE 11-11-2010.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORIGINAL", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A DRESSED PENGUIN ON THE LEFT SIDE WITH A VERTICAL LINE SEPARATING THE DESIGN AND THE WORDS "AN ORIGINAL PENGUIN BY MUNSINGWEAR" IN STYLIZED FORMAT.

SER. NO. 85-668,368, FILED 7-3-2012.

CHRISTINA SOBRAL, EXAMINING ATTORNEY



Lisa Street Lee

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
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Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark: AN ORIGINAL PENGUIN BY MUNSINGWEAR



US Serial Number: 85668368

Application Filing Date: Jul. 03, 2012

US Registration Number: 4308261

Registration Date: Mar. 26, 2013

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 26, 2013

Publication Date: Jan. 08, 2013

Mark Information

Mark Literal Elements: AN ORIGINAL PENGUIN BY MUNSINGWEAR

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a dressed penguin on the left side with a vertical line separating the design and the words "AN ORIGINAL PENGUIN BY MUNSINGWEAR" in stylized format.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "ORIGINAL"

Design Search Code(s): 03.15.15 - Penguins; Puffins
03.15.26 - Costumed birds and bats and those with human attributes

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Retail store services featuring apparel, hats, leather goods, fashion accessories, jewelry, footwear, cosmetics, personal care products, eyewear, luggage and sports equipment

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 11, 2010

Use in Commerce: Nov. 11, 2010

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.

Owner Address: Legal Dept.
3000 N.W. 107th Avenue
Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Tricia M. Thompkins**Attorney Primary Email Address:** legal@pery.com**Attorney Email Authorized:** No**Correspondent****Correspondent Name/Address:** TRICIA M. THOMPkins
3000 NW 107TH AVE
MIAMI, FLORIDA 33172-2133
UNITED STATES**Phone:** 305-873-1735**Fax:** 305-406-0513**Correspondent e-mail:** legal@pery.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Jul. 18, 2014	NOTICE OF SUIT	
Nov. 21, 2013	NOTICE OF SUIT	
Mar. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 08, 2013	PUBLISHED FOR OPPOSITION	
Dec. 19, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 04, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Dec. 04, 2012	ASSIGNED TO LIE	68171
Nov. 19, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 19, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 19, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 19, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 19, 2012	EXAMINERS AMENDMENT -WRITTEN	83185
Jul. 25, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 25, 2012	NON-FINAL ACTION E-MAILED	6325
Jul. 25, 2012	NON-FINAL ACTION WRITTEN	83185
Jul. 25, 2012	ASSIGNED TO EXAMINER	83185
Jul. 12, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Jul. 11, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 06, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Mar. 26, 2013

United States of America

United States Patent and Trademark Office

an original
Penguin
BY
Munsingwear

Reg. No. 4,481,609

Registered Feb. 11, 2014

Int. Cl.: 14

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (FLORIDA CORPORATION)
LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: WATCHES, JEWELRY, NAMELY, RINGS, BRACELETS, NECKLACES, CUFFLINKS,
AND TIE BARS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 9-0-2013; IN COMMERCE 9-0-2013.

OWNER OF U.S. REG. NOS. 3,323,720, 3,961,901, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORIGINAL", APART FROM
THE MARK AS SHOWN.

THE MARK CONSISTS OF THE WORDS "AN ORIGINAL PENGUIN BY MUNSINGWEAR"
IN STYLIZED FORMAT WITH THE "M" IN "MUNSINGWEAR" IN A DARK BACKGROUND.

SN 85-476,255, FILED 11-18-2011.

DAVID TAYLOR, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark: AN ORIGINAL PENGUIN BY MUNSINGWEAR



US Serial Number: 85476255

Application Filing Date: Nov. 18, 2011

US Registration Number: 4481609

Registration Date: Feb. 11, 2014

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 11, 2014

Publication Date: Apr. 24, 2012

Notice of Allowance Date: Jun. 19, 2012

Mark Information

Mark Literal Elements: AN ORIGINAL PENGUIN BY MUNSINGWEAR

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the words "an original Penguin By Munsingwear" in stylized format with the "M" in "Munsingwear" in a dark background.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "ORIGINAL"

Design Search Code(s): 26.09.21 - Squares that are completely or partially shaded
26.09.25 - Squares with curved sides

Related Properties Information

Claimed Ownership of US Registrations: 3323720, 3717328, 3961901 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: WATCHES, JEWELRY, NAMELY, RINGS, BRACELETS, NECKLACES, CUFFLINKS, AND TIE BARS

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2013

Use in Commerce: Sep. 2013

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI LICENSING, INC.

Owner Address: LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FLORIDA 33172

UNITED STATES
Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia McDermott Thompkins
Attorney Primary Email Address: tricia.thompkins@pery.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tricia McDermott Thompkins
PEI Licensing, Inc.
3000 NW 107th Avenue
Legal Dept.
Miami, FLORIDA 33172
UNITED STATES
Phone: (305) 873-1735
Fax: (786) 221-8735
Correspondent e-mail: tricia.thompkins@pery.com legal@pery.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 11, 2014	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 07, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Jan. 07, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 31, 2013	STATEMENT OF USE PROCESSING COMPLETE	69302
Dec. 19, 2013	USE AMENDMENT FILED	69302
Dec. 19, 2013	TEAS STATEMENT OF USE RECEIVED	
Jul. 23, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 22, 2013	EXTENSION 2 GRANTED	69302
Jun. 17, 2013	EXTENSION 2 FILED	69302
Jul. 12, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Jun. 17, 2013	TEAS EXTENSION RECEIVED	
Jan. 09, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 08, 2013	EXTENSION 1 GRANTED	76873
Dec. 19, 2012	EXTENSION 1 FILED	76873
Jan. 08, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Dec. 19, 2012	TEAS EXTENSION RECEIVED	
Jun. 19, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 24, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 24, 2012	PUBLISHED FOR OPPOSITION	
Apr. 04, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 20, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Mar. 14, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 14, 2012	EXAMINER'S AMENDMENT ENTERED	70884
Mar. 14, 2012	EXAMINER'S AMENDMENT ENTERED	70884
Mar. 14, 2012	ASSIGNED TO LIE	70884
Mar. 14, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 14, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 14, 2012	EXAMINERS AMENDMENT -WRITTEN	76153
Mar. 13, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325

Mar. 13, 2012	NON-FINAL ACTION E-MAILED	6325
Mar. 13, 2012	NON-FINAL ACTION WRITTEN	76153
Mar. 06, 2012	ASSIGNED TO EXAMINER	76153
Dec. 13, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 13, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 29, 2011	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Nov. 28, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 22, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

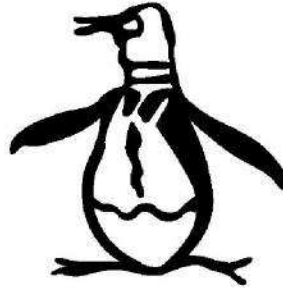
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 07, 2014

United States of America

United States Patent and Trademark Office



Reg. No. 4,598,008

Registered Sep. 2, 2014

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: DRESS SHIRTS AND TUXEDO SHIRTS; MEN'S, WOMEN'S AND CHILDREN'S UNDERWEAR, SLEEPWEAR, LOUNGEWEAR, PAJAMAS AND ROBES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 4-30-2013; IN COMMERCE 4-30-2013.

OWNER OF U.S. REG. NOS. 673,912, 1,116,035, AND 1,569,866.

THE MARK CONSISTS OF A DRESSED PENGUIN.

SN 85-826,054, FILED 1-17-2013.

SUNG IN, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

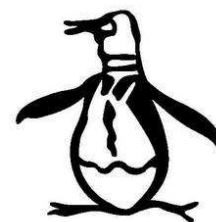
**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark:



US Serial Number: 85826054

Application Filing Date: Jan. 17, 2013

US Registration Number: 4598008

Registration Date: Sep. 02, 2014

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 02, 2014

Publication Date: May 07, 2013

Notice of Allowance Date: Jul. 02, 2013

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a dressed penguin.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.15.15 - Puffins; Penguins

Related Properties Information

Claimed Ownership of US Registrations: 0673912, 1116035, 1569866

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: dress shirts and tuxedo shirts; men's, women's and children's underwear, sleepwear, loungewear, pajamas and robes

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 30, 2013

Use in Commerce: Apr. 30, 2013

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.

Owner Address: Legal Dept.
3000 NW 107th Avenue

Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia M. Thompkins

Attorney Primary Email Address: legal@pery.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TRICIA M. THOMPkins
PEI LICENSING, INC.
3000 NW 107TH AVE
MIAMI, FLORIDA 33172-2133
UNITED STATES

Phone: 305-873-1735

Fax: 305-406-0513

Correspondent e-mail: legal@pery.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 02, 2014	REGISTERED-PRINCIPAL REGISTER	
Jul. 31, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 30, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 07, 2014	STATEMENT OF USE PROCESSING COMPLETE	66154
Jul. 01, 2014	USE AMENDMENT FILED	66154
Jul. 01, 2014	TEAS STATEMENT OF USE RECEIVED	
Feb. 11, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 08, 2014	EXTENSION 1 GRANTED	66154
Dec. 31, 2013	EXTENSION 1 FILED	66154
Jan. 31, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Dec. 31, 2013	TEAS EXTENSION RECEIVED	
Jul. 02, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 07, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 07, 2013	PUBLISHED FOR OPPOSITION	
Apr. 17, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 01, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Mar. 30, 2013	ASSIGNED TO LIE	77312
Mar. 15, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 15, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 15, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 15, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 15, 2013	EXAMINERS AMENDMENT -WRITTEN	80815
Mar. 14, 2013	ASSIGNED TO EXAMINER	80815
Jan. 24, 2013	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 23, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 21, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 30, 2014

United States of America

United States Patent and Trademark Office

ORIGINAL PENGUIN BY MUNSINGWEAR

Reg. No. 4,598,009

Registered Sep. 2, 2014

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

PEI LICENSING, INC. (DELAWARE CORPORATION)
LEGAL DEPT.
3000 NW 107TH AVENUE
MIAMI, FL 33172

FOR: DRESS SHIRTS AND TUXEDO SHIRTS; MEN'S, WOMEN'S AND CHILDREN'S UNDERWEAR, SLEEPWEAR, LOUNGEWEAR, PAJAMAS AND ROBES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 4-30-2013; IN COMMERCE 4-30-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,323,720, 3,894,274, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORIGINAL", APART FROM THE MARK AS SHOWN.

SN 85-826,140, FILED 1-17-2013.

SUNG IN, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark: ORIGINAL PENGUIN BY MUNSINGWEAR

ORIGINAL PENGUIN BY
MUNSINGWEAR

US Serial Number: 85826140

Application Filing Date: Jan. 17, 2013

US Registration Number: 4598009

Registration Date: Sep. 02, 2014

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 02, 2014

Publication Date: May 07, 2013

Notice of Allowance Date: Jul. 02, 2013

Mark Information

Mark Literal Elements: ORIGINAL PENGUIN BY MUNSINGWEAR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "ORIGINAL"

Related Properties Information

Claimed Ownership of US Registrations: 3323720, 3681969, 3894274 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: dress shirts and tuxedo shirts; men's, women's and children's underwear, sleepwear, loungewear, pajamas and robes

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 30, 2013

Use in Commerce: Apr. 30, 2013

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PEI Licensing, Inc.

Owner Address: Legal Dept.
3000 NW 107th Avenue
Miami, FLORIDA 33172
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tricia M. Thompkins

Attorney Primary Email Address: legal@pery.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TRICIA M. THOMPkins
PEI LICENSING, INC.
3000 NW 107TH AVE
Legal Dept.
MIAMI, FLORIDA 33172-2133
UNITED STATES

Phone: 305-873-1735

Fax: 305-406-0513

Correspondent e-mail: legal@pery.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 02, 2014	REGISTERED-PRINCIPAL REGISTER	
Jul. 31, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 30, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 07, 2014	STATEMENT OF USE PROCESSING COMPLETE	66154
Jul. 01, 2014	USE AMENDMENT FILED	66154
Jul. 01, 2014	TEAS STATEMENT OF USE RECEIVED	
Feb. 11, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 08, 2014	EXTENSION 1 GRANTED	66154
Dec. 31, 2013	EXTENSION 1 FILED	66154
Jan. 31, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Dec. 31, 2013	TEAS EXTENSION RECEIVED	
Jul. 02, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 07, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 07, 2013	PUBLISHED FOR OPPOSITION	
Apr. 17, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 01, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Apr. 01, 2013	ASSIGNED TO LIE	70633
Mar. 19, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 19, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 19, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 19, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 19, 2013	EXAMINERS AMENDMENT -WRITTEN	80815
Mar. 18, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 18, 2013	NON-FINAL ACTION E-MAILED	6325
Mar. 18, 2013	NON-FINAL ACTION WRITTEN	80815
Mar. 14, 2013	ASSIGNED TO EXAMINER	80815
Jan. 23, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 21, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 30, 2014